

**Milton Town Council Meeting
Milton Library, 121 Union Street
August 18, 2014, 6:30 p.m.**

**Minutes are not Verbatim
Transcriptionist: Helene Rodgville**

1. Call to Order – Mayor Jones

2. Moment of Silence

3. Pledge of Allegiance

4. Roll call:

Councilwoman Patterson	Present
Councilman Coté	Present
Councilman Collier	Present
Mayor Jones	Present
Vice Mayor Booros	Absent
Councilwoman Parker-Selby	Absent
Councilman West	Absent

5. Additions or Corrections to the Agenda

Mayor Jones: Are there any additions or corrections to the agenda? I have for 10.b., the appointment to Planning and Zoning. If someone make a motion for that.

6. Agenda Approval

Councilman Collier: Motion to approve the agenda, with the amendment to drop 10.b.

Councilwoman Patterson: Second.

Mayor Jones: Any other discussion? All those in favor say aye. Opposed. Motion is carried.

7. Presentation and Approval of Minutes: April 21, 2014

Mayor Jones: You have in front of you the minutes from April 21st.

Councilwoman Patterson: I make a motion to approve the minutes from Monday, April 21, 2014.

Councilman Coté: Second.

Mayor Jones: Any discussion on these minutes? All those in favor say aye. Opposed. Motion is carried.

8. **Public Hearing – Fiscal year 2015 Budget and Fee Schedule**

Mayor Jones: We are taking comments on the 2015 Budget and Fee Schedule. You will need to go to the microphone, but you will not have to sign up for the sheet when it has to do with the budget. Just in an orderly fashion if you head to the microphone.

- Cliff Newlands, 110 Oysterman Drive, Milton, DE: What I gave out to the Mayor, Councilman Coté and the Town Clerk, my version of the budget. I reduced the expenses

by \$100,000; I reduced the revenue by \$100,000; alleviating the need for a tax increase. Right now you have over \$400,000,000 in property value for Town; you multiply that by the current ml rate and you get about \$890,000 for the tax revenue. I think that's a \$75,000 increase over last year. If you look at page two I'll go through just some highlighted issues; they repeat in each different department. You've increased the insurance benefits by about 15-20% in all the departments and Blue Cross has come out and said that that's going to be 4-8%; so I think these are way over inflated numbers on the insurance. A couple of other insurance, if you go down to 5400, you have a 20% in town insurance. I don't think insurance is going to go up that much. That's just a little bit out of line. Go down a little bit further, 5460, Building Repairs, another \$4,000 increase. Is that 112 Federal Street, or is that the regular building, does anybody know?

Kristy Rogers: It's all Town Hall.

Cliff Newlands: It's all Town Hall? I think that should be cut somewhat. Occupational Health, where is that on here? Can somebody explain to me what Occupational Health is? In the write-ups that I see, it says that it's flu shots, Hep A/B shots, Tetanus shots. I think your medical would cover all of that, under regular medical insurance. I don't know why you would have that there. Amongst all the departments, that's \$8,100 throughout all the departments. Other than the regular immunizations, what is that and why are we paying immunization shots when it comes out of your insurance? Can anybody explain that?

Kristy Rogers: The Occupational Health line was added to give a benefit to the employees, especially those working in the parks, that may come in contact where Hepatitis or Lyme's Disease, where our employees would come into contact with those things. I'm not sure if the insurance would cover those, or not, we're just offering those as a benefit to the employees.

Cliff Newlands: I've had the Hep A/B and my insurance company did cover it; flu shots are \$20 in Walgreen's. This is \$8,100 and it's been increased from last year to this year and a lot of these things that you're doing, the Hep A/B it's a three-part shot and it's good for life; Tetanus is good for 10-years, so I don't know why you're increasing this every year, for things that are good for 10-years.

Kristy Rogers: The other portion of Occupational Health is for the Police Physical Fitness Policy; if that is adopted, it is \$625 per officer for the Physical Fitness Testing.

Cliff Newlands: That may be so for the police, but in Town Hall for the Admin, it's \$3,300; that's still a lot for flu shots. I still don't get it. That's a lot of money there. If you go down the streets; I think there is an area in the budget; you're increasing the budget by \$27,000...

Councilman Coté: What page are you on Mr. Newlands? What page are you reading from?

Cliff Newlands: Page 3, I'm sorry. It's the first item. You've increased the budget by \$27,000 and I heard that you're going to have a new employee and I'm assuming that's to cut the overtime. But you left the overtime in the budget. So I'm assuming that that \$4,500 should be coming out.

Kristy Rogers: The overtime in the budget for the streets is for snow removal. The increase in salaries, does have to do with a new employee and the reallocation of all the employees between Public Works.

Cliff Newlands: Okay. Again, the health insurance I think is just way out of line; you're going from \$2,400 to \$10,000 for one new employee; that's just a lot of money. I think all these figures have to get checked with the health insurance. And in streets, if you go down to the next page, page four, you have \$13,000... I'm sorry, that's on page three, the last thing on page three, you have \$13,000 for signs and supplies and then you have \$35,000 for street repairs. Why is that not coming out of transfer tax; out of the current transfer tax that we have in the bank, because there's got to be at least \$400,000 in transfer tax in the bank? The last sheet I got from Town regarding balances, there was about \$315,000 in April, so by now you have to have at least \$400,000 in the bank. I would think you could get your signage and your streets out of that account.

Councilman Collier: I can help with that a little bit; that's for Work Zone signs for the crews working the streets; there's been a current change and all the town's possessions are out of standard with the current Delaware Uniform Manual for Traffic Control Devices, so they have to be all brought up to date.

Cliff Newlands: I have no problem with the expense. It's where it's coming from, that it's coming from tax dollars, as opposed to coming from the transfer tax that we have collected already. Because you have a good amount of money in transfer tax now, so we should start using some of that transfer tax money; that's all I'm saying. I reduced the gas usage for police if you go down to the bottom by \$5,000, because on the next page you have \$5,000 unassigned. I don't know how you have a budget item category unassigned \$5,000. It went nowhere, so I put it someplace.

Kristy Rogers: The \$5,000 was left unassigned, because the Chief had not given an amount yet for the police radio upgrades that he needs to do, so this \$5,000 was intended to be police radios, but I don't have an exact amount at this time.

Cliff Newlands: I didn't see that documentation. Again, going through Parks and other things; if you go down to parks, there was \$3,000 spent for plantings. Are we going to do that again this year? More plantings? I know we give the Garden Club \$3,000 every year. That's not the same \$3,000? Is it?

Kristy Rogers: No.

Cliff Newlands: So we're going to have another \$3,000 in plantings?

Kristy Rogers: Yes.

Cliff Newlands: Okay. Again, the rest of it is just the insurances and things... and in doing the comparisons if you go down to page seven for the water, the 2014 budget didn't have the expense for the security fences; that \$30,000 wasn't in there. I like to separate the debits and credits. You have about I think it was \$100,000 and something in reductions to the budget, but there is a \$256,000 increase to this budget, over last year. That's a lot of money. I think this needs to be gone through very thoroughly by you guys. Thank you.

Mayor Jones: Thank you.

- Dr. Michela Coffaro: I'm really not a numbers person. I'm a concept person, so I'm just going to make some blanket statements here without alluding to a particular line item, but I'm looking... two items that I think I'd like to see Council look at this year. One would be health insurance benefits for Town of Milton employees. I mention this, because when I first moved here in 2007, that's when then Mayor Don Post enacted, for the first time, that employees would pick up a co-payment, if that's the correct

terminology; they would pay part of their health insurance benefits and the ratios went back and forth and back and forth and it seemed that the number 30% that the town picked up 30% of the employee's health cost benefits; was arrived at to be a soft number and the projection was that over the years it would increase, incrementally; not a lot. We're not talking trying to just be rude about it, but the reality is, health care costs do go up quite a bit, every year and even though that is hard on the town employees, it's hard on any employee and it's equally hard on the taxpayer, so it seems to me that that's a line item and a pretty substantial one, that maybe could be looked at, this particular cycle. Okay, my opinion. The second thing I would say is about grants and grant money and town improvements, I'd really love to see either a grant try to be identified for the sidewalks, particularly the sidewalks on Chestnut Street. They're just so deplorable. The town looks so broken down when you drive down Chestnut Street, or when you walk on the Historical Society's walking tours and as I've said in the past, in the forums; on one side of the street there was a grant for walking to school pathways and those sidewalks were nicely redone, but the sidewalks across the street they're horrendous and I've heard things like, that was because way back in the days of the Cannery, that's where the Cannery trucks came out and they went over the sidewalks and crushed the curbs. That's very possible. I don't know what the history is, I just know what it looks like, what it's looked like for the seven years I've been here and really, that's a place to really look at spending some money. I think it's my own opinion. I know what the Charter says, that the homeowner's are responsible. I get that. I lived in a community where my sidewalk uprooted because of a tree and I sure had to pay for that. I got it. I knew that that was coming, but I'll tell you what, if my sidewalk had been damaged for 10 years and then somebody came knocking on my door and said hey, when are you going to fix that, I'd be annoyed. So if you're going to enforce these things, then you have to do it in a timely manner. That ship has sailed several times, so I hope Council or the town government can find a way to get grant money to repair that, or put it in the budget somehow or another and let the whole town share the cost; maybe that's an unpopular view, but our town looks just plain broken down in some sections and it's not that big a cost. Thank you.

Mayor Jones: Thank you.

- Ginny Weeks: I have one question. On page five, at the bottom it says Milton Memorial and Mill Park, \$10,000 was allocated this year, budgeted this year. So far you've spent \$22,000 and you're not budgeting anything for next year? What do those funds cover that the parks are not going to receive?

Kristy Rogers: In the budget, I failed to miss... Supplies are shown in two areas. You have supplies at 5280 and at Milton Memorial and Mill Park at 5286; both of them have similar costs, just direct expenses of the park; this year we are going to eliminate the 5286 and all supplies and costs of the park will be in 5280.

Ginny Weeks: So the park isn't going to be out of anything?

Kristy Rogers: No.

Ginny Weeks: Okay, thank you.

- Steve Crawford, 216 Ridge: I am a member of the Economic Development Committee and I just wanted to let the Mayor and Council know that at the next Council meeting we'll be presenting a proposal for a part-time media person, the recommendations to help

establish a Facebook page for town, as well as to coordinate all media advertising for the town, which could include when we get to the point, billboards, advertising down at the theater, the Midway Theater, and any kind of newspaper and television advertising; but particularly social media. I've talked to Dogfish. I've talked to Irish Eyes. While you can quantify a cost, it's very difficult to quantify a benefit, however, they all say well we can't quantify the benefit. We know we need to do it and we have full time people doing it. If you look around at other towns, they do have Facebook pages, which in my view really would help people know more about the town. Our current website, while it's adequate, I believe, for townspeople, it's not really a website that would encourage tourists to peruse the website and maybe want to come to the town. At the next Council Meeting I'll have something in writing for your package and we can get it presented to you then. Thank you.

Mayor Jones: Thank you. Anybody else? Sure.

- Bob Howard, 217 Chandler Street: I'm on the Economic Development Committee also. I was looking at the line for Economic Development Committee in this budget and last year we had a grant of \$13,700 for signs, which has not been spent yet. However, about \$7,000 and this is an approximate number, will be expended before the end of this fiscal year. The grant was originally to expire this past June; Mr. Donnan got an extension to that grant. We are trying to get another extension. There are a number of signs, 22 signs I believe, are in the process of being made right now and that money will probably show up in the fourth quarter expenditures. Again, that's a portion of the grant and we're hoping to be able to get permission from the U.S.D.A. to use the rest of the sign grant, for some additional signs that are not DelDOT signs. So I'm hoping that the budgeting process can be flexible enough to include that in next year's budget, should that extension be granted and that money is still available for additional signs next year. The other thing that I would comment on and I don't know where that is on your radar, but the other amount that's in the budget, this year for Economic Development is \$5,000 and we had put in a budget request asking for \$6,000, over and above the signs and the request was basically for the same amount that we had for this year. The additional \$1,000 was a request for, we would call it "seed money" for a mural for town that we're working on, which again, we'll need to come to town with a presentation of what the mural will be and we're not at that point yet, but we're getting fairly close. So, again, hopefully that could be considered in this budget. It's not on the Economic Development Committee's line right now. Thank you.

Mayor Jones: Thank you.

Councilman Côté: Excuse me, Mr. Howard, quick question. Do we have any idea on this extension for the signage grant? Do we have any idea when you'll hear back, definitively, about that?

Bob Howard: I don't know. No. You know we did get one extension and that is going to cover us for the signs that are being made right now. The second extension request, I don't have any idea when we should expect to hear something on that.

Councilman Côté: Okay, thank you.

- Leah Betts, 113 Magnolia Street: It doesn't have anything particular to do with the budget, but it could and I was just wondering, have we condemned the house on 16 beside the antique shop?

Kristy Rogers: It's in the process. Mr. Trotta has sent notification. He has placed a placard on the home and we are in the process to officially condemn and decide whether or not to demolish the house.

Leah Betts: Are you planning on the town demolishing it?

Kristy Rogers: To my knowledge, the owner does not have the means to do so herself.

Leah Betts: Okay. Have you seen anything about the EPA, do you have a price? I've heard some prices and I heard \$500 to tear it down.

Kristy Rogers: No.

Leah Betts: I know if you don't go to the EPA with the asbestos, it could really cost the town a lot of money and a fine and I know you have to go there and I would hate to see the town have to pay a fine of \$30,000, which I understand that it is the cost if you do not go to the EPA. I just would like the town to know that, because I would hate for a \$30,000 fine come out of the budget, when we don't have it.

Mayor Jones: I appreciate that, thank you.

Leah Betts: So I just would like to see it looked into and see what you have to do, if you decide to tear it down, condemn it. Okay? Thank you.

Mayor Jones: Anyone else? Anyone else want to take a second time at the microphone? Nothing. Okay, we will call the public hearing portion of the meeting completed at 6:59.

9. Old Business – Discussion and possible vote on the following items:

a) Fiscal year 2015 Budget and Fee Schedule

Councilman Collier: This is not our only public hearing regarding the budget, because now I think this is where we get our pencils out and start doing a little scratching and the public will have an opportunity to comment on that, as well? Okay, I just wanted to make sure of that first.

Mayor Jones: Mr. Newlands, I want to make just one comment as a follow-up to your presentation and that was in reference to transfer tax. I believe there are a number of us, if I had to take a vote here we have had a little bit of a discussion about trying to wean this town away from using 100% transfer tax for our operating expenses; believing that those monies set aside, may be better spent for infrastructure projects down the road, instead of constantly going back to the citizens to raise taxes for projects, such as that. We are very well aware that the town operating independent on it's transfer tax money, has put us in a situation that we're not able to wean ourselves completely back from that at this time, but I know Councilman Coté has been working to try to ease us into that, so if you do not see us just at the ready to dip into those funds, that's why. We're trying another approach, if we are able. Do you want to add anything to that?

Councilman Coté: I just would add that I just got this, this evening, so I will take a look at all the lines and consider what you've said here and we'll see what we can do. At the last meeting, I think it was the last meeting, we talked about possibly adding some engineering expense and I don't know, with all the legal we're getting done, I don't know if we need to do something with that line, as well. We need to consider that and maybe see what else we might have on the radar.

Mayor Jones: Well, just to give you an update, I met with our engineer, Mr. Savage, last week, in the pouring down rain at 112 Federal Street. He had a look at the property, as a whole; gave out some great recommendations; I've asked him for pricing, for Pennoni's

pricing on basically the time it will take to price out an ADA compliant entrance into the house. Now that isn't...

Unidentified Speaker: Can you please put this in context? What are we talking about? An engineer doing what?

Mayor Jones: An engineer at the 112 Federal Street property owned by the town.

Unidentified Speaker: That's the one that was purchased?

Mayor Jones: That's correct.

Unidentified Speaker: Gotcha. Thank you. Okay, thank you.

Mayor Jones: I'm sorry. That's okay. We did meet and to even start this, I've asked him for a quote, so that he can give us an idea of assessing that property and where, I believe he used the word, a topographic map is where it is best started and so he will be supplying that finance information and those quotes to Mrs. Rogers, as he develops a plan. So that's where we are on that. I am trying to get those engineering costs. Okay?

Leah Betts: I thought that when we talked about, after you purchased the house, that you were going to look it over and you told me that you could reject it if there was anything... Wouldn't that have been done before you purchased the house?

Mayor Jones: An engineer, about an ADA compliant... No, Ma'am.

Leah Betts: Because later I heard that you bought it for a parking lot and now it's for... what is it for now?

Mayor Jones: Well right now, to really establish a use of the building, instead of... I've heard a suggestion that we raze the building and make it a parking lot in the middle of downtown. I wouldn't support that myself. I can't say how the public would support that, but I stand by the investment we made in the vicinity of our own Town Hall. This assessment by our engineer, I think, will better set us up for exactly the cost of doing whatever our plan is; whether it's getting our own folks in there. I made the statement a long time ago, popular or not, about possibly getting our Chamber of Commerce in there to use part of that facility; but it all rests, right now, on the proposal coming from the engineer, as to this element, which is we can't open the door to do anything, until ADA compliance is met.

Leah Betts: So when you purchased it, you did not have a specific reason for purchasing it?

Mayor Jones: I wouldn't say that.

Leah Betts: Oh.

Mayor Jones: I wouldn't say that. No.

Leah Betts: Could you tell us what the purpose was at that time?

Mayor Jones: A mixed use. We did discuss parking being available on that end of town, but even that is requiring the engineer looking into that land and seeing just how that configuration would be, as it also applies to a DelDOT entrance.

Leah Betts: I can understand that, but what worries me is there's people in this town that cannot afford their taxes to go up and I would hate to see purchasing something that would cause our homeowner's not to be able to keep their homes, and not really know what we were purchasing for.

Mayor Jones: I think I am very safe in saying that there's nothing about the expense of this house, that's going to put a greater burden on a taxpayer in this town, at this time.

Leah Betts: It would, if the taxes go up and have to go up because of the engineering and the purchase of the house, I think.

Mayor Jones: Actually, I believe the taxes are going up to simply keep the operating budget

at it's current service level and it does not involve any improvements to 112 Federal Street. Did you hear that?

Leah Betts: I hear what you're saying, but any amount of money that we spend is going to have an impact on it.

Mayor Jones: Any amount of money that we spend for any service to the citizens, that is correct.

Leah Betts: That is not necessary. Yes. Okay. Thank you.

Councilman Collier: I see in our General Fund budget that at the end of everything, we have available for capital expenditures \$3,995.84. I think I recall in the draft budget, that there was considerably more than that requested through our various departments. Have we decided how we're going to deal with that, yet?

Mayor Jones: It was my understanding that at least under the first line item of the street signs, that \$2,500 was going to go into that capital expenditure.

Councilman Collier: And that's for the replacement of the signs, as required by Federal Mandate, over the next five years?

Mayor Jones: Right.

Councilman Collier: Okay, so that takes care of that. Then we're not going anywhere beyond that, at this time? And, again, for instance, I think there were several pieces of equipment requested by Public Works and I think that they would be spread across actually two departments, because they would benefit not only streets, but water, as well and I didn't see any more mention of that in the budget documents, at this time, and I don't know that we've ever come to a conclusive answer, as to what we intend to do with those, or how we would fund them, seeing as how we don't have very much left for capital expenditures at this time. I guess this is where it comes down to the time where we sharpen our pencils, if we're going to intend to cover any of these capital expenditures.

Ginny Weeks: Just to help us understand, how much money do we have? Do we have any CD's?

Councilman Coté: Yes.

Ginny Weeks: How much money do we have?

Councilman Coté: The CD's are about \$300,000, a little less than \$300,000, because there's three and they're all slightly under \$100,000. So slightly under \$300,000 in the CD's.

Ginny Weeks: I don't mean the enterprise funds. I means funds for the administration of the town.

Councilman Coté: I'm not sure what you mean by enterprise funds.

Ginny Weeks: Not the water fund, for example.

Councilman Coté: Okay, the proprietary fund. The proprietary fund has about \$800,000.

Ginny Weeks: That's the only money we have?

Councilman Coté: No. I just don't remember off the top of...

Kristy Rogers: I don't have my balance sheet with me, but I was going to say all funds together, utility included, is about \$1.8 million.

Councilman Coté: Mr. Newlands has the information.

Ginny Weeks: About how much?

Kristy Rogers: About \$1.8 million, that includes your utility funds.

Councilman Coté: He has the April information.

Ginny Weeks: But the utilities is about \$600,000 of that, right?

Kristy Rogers: More then that.

Ginny Weeks: More then that. So the Town has basically half a million dollars.

Councilman Coté: Alright, as of April...

Ginny Weeks: Yeah, that's cause June and July aren't posted yet. Right?

Councilman Coté: No, that's just because Mr. Newlands had April and I don't have a newer one with me.

Kristy Rogers: Yes, we just approved June at the last meeting.

Councilman Coté: As of April, there was \$500,000 in round numbers; \$500,000 in the checking account; which I think we transferred some to the savings and the savings is \$245,000 and the transfer tax, as previously mentioned was \$300,000 and change.

Ginny Weeks: Okay, thank you.

Councilman Coté: And again, that's all as of April, the end of April. And just by way of information, it's probably a little bit less now, because in this time of year, more money goes out, than comes in.

Mayor Jones: There is a line item under Administration that I think is very important to consider and our funding doesn't come anywhere near it, but as we look at our needs, you'll find the last capital expenditure on there, under Code. That Edmund's Software is an interface to the larger system and it will provide Mrs. Rogers a tool for the Code Enforcement Department, as a tracking system. I think there have been a number of cases where something like this would be very valuable; if we are not able to afford it in the form of a computer software package, however, I'm sure we'll still be working on a program that we can make that work. But that's what that Edmund's Software is, that \$8,500, in case you were not aware of what that was.

Councilman Collier: Mrs. Rogers, your figures for health insurance and stuff were based on a projection, without actually receiving a quote, which didn't come into until... Have you received that quote?

Kristy Rogers: I haven't yet, but what I most recently found out is the health insurance plans we have now, will not be available as of October 1st, because of the Affordable Care Act, we do have to select another plan; so at this point, I have based a 15% increase. To change that, I wouldn't know what to base it on at this point.

Councilman Collier: Okay, so you don't really have any idea what the cost might be, but you're looking at the idea of at least offering comparable, even though it may be through another provider?

Kristy Rogers: Yes.

Councilman Collier: Okay, so that explains the increase that you have there. Alright, so then I don't want to play with that line, because we want to insure people.

Councilwoman Patterson: Yeah, if I could step in. We had to renew in April, at the office, and our insurance rates went up 40% for our employees.

Seth Thompson: If it's helpful at all, I just have been dealing with this at my firm. Ours was going to go up 25%, so the decision we made was, we would continue to pay what we've been paying and give that... the way it works under the Affordable Care Act, you can increase somebody's salary and then they can go and purchase whatever plan they choose. It might be better, it might be worse, or technically they don't have to purchase health insurance, they then have to pay that penalty; but we based it on a comparable plan; because of the 25% increase.

Councilwoman Patterson: Yes, we actually did the same thing and it saved the employee's a lot of money for them to go out on their own.

Seth Thompson: It's difficult, because it could be more expensive. It seems like the rates are essentially based on age, so if you have older workers it's just going to be more money.

Councilwoman Patterson: Correct.

Seth Thompson: Potentially, if you have younger workers, they could indeed save some money.

Councilman Collier: Well, I think currently with our 70/30 split, you have some people who have a family plan that includes their entire family and they're getting 70% of that covered and then we have others who only get an individual plan and they get 70% covered, so that could get a little dicey at times when you're trying to figure out how to do the distribution.

Seth Thompson: You're absolutely right. The easiest concept, I think, is to just pay the increase, rather than having to deal with a bunch of individual decisions that, for instance, might now seem fair when you compare one employee to another. For instance, if somebody isn't covered under the Town policy currently, should they be offered some sort of increase because somebody that might be doing the same, or a similar job, is getting seemingly an increase, in order to make up for their health insurance.

Councilman Collier: I just wanted to take Mr. Newlands comment about insurance and make sure that I understood why that projection was made. It was all before I asked, could we reduce that line and I think at this time, we need to leave it alone.

Councilwoman Patterson: And we don't find out until October 1st?

Kristy Rogers: That's our effective date. I assume in the next two weeks, I should have preliminary rates.

Councilwoman Patterson: Okay.

Councilman Coté: So that would probably be before the second public hearing that Councilman Collier mentioned.

Councilman Collier: Plus, this is the time we magic pencil this thing and then the public's entitled to the opportunity to respond to the results of our pencil.

Mayor Jones: May I say something on health insurance? Not popular, just an option and that is whether or not the municipality needs to look into covering the employee. The employee is your investment. Anything over and above covering your employee, may need to be considered to fall on the employee; therefore, all benefits are not created equal. When you're paying \$10,000 some dollars for an employee, because they have a family package, but \$4,800, because you're covering a single employee, there is a difference in benefit; just as Councilman Collier brought out, if you're not covering the employee at all and they have insurance someplace else; so I think all options, in this case have to be brought out and put on the table.

Councilman Collier: So when you prepare those numbers, could you prepare it in that fashion?

Councilwoman Patterson: I think when you're going to get the rates, you'll get the employee breakdown, the individual and the family and spouse, just for us to be able to look at that.

Councilman Collier: Well, I think until we have some idea of numbers, we can't really make a decision whether we're going to go with 100% for the employee, or it will remain the same, at this time. We have to look at the numbers.

Councilwoman Patterson: No, but I think the breakdown of that would be good to see.

Councilman Collier: Yes, I agree.

Councilwoman Patterson: But it's tough. The rates really have...

Mayor Jones: And it's a very human issue. It's not an easy issue to bring up... Not easy.

Councilwoman Patterson: I'm in healthcare. We want to make sure our employees are taken care of, because it's what we do and we did find out that people going out on their own or going through the exchange, got much better rates; although the deductibles have gone up for every plan, unfortunately.

Councilman Collier: So at this point in time, I'm not finding a whole lot to look at.

Steve Crawford, 216 Ridge: I'm just looking at the police salaries and I notice there's a reduction by \$42,000 and I'm wondering why that is?

Captain Cornwell: I can answer that. I have no idea.

Mayor Jones: Okay.

Councilman Coté: In a meeting that we had with the Chief, who's not here, we were discussing the number of employee's he predicted he would have. The department is authorized I think, at nine; the Chief predicted that he didn't think he could be at more than eight for the coming fiscal year, because...

Steve Crawford: Because he can't hire them? Can't get them on the force?

Councilman Coté: Because of the process that he has to go through and the timing of it, because he has to put them into the Academy, which doesn't start until September or October.

Captain Cornwell: We have two candidates right now that we're looking at, once we get the process done for September and then the next Academy will start around March; where we would have a process to put someone in there for that also and as long as we get good candidates and people willing to do the job, we could very well fill that. I'm not sure why the Chief had said, not being able to do that.

Councilman Coté: I can't speak for him. I can't speak for why he said what he said. I just know what he said.

Captain Cornwell: I understand. The potential there is to actually get to the nine people, when this budget is in.

Councilman Coté: Chances are, if that's coming up, we'll know that at the six month.

Captain Cornwell: Kristy and I had discussed that and she said at the six month. The six month would be April.

Councilman Coté: Six month is end of March.

Captain Cornwell: The problem that we'll have is, like right now we're crunched with trying to get these two people in; the deadline was Friday. I don't know if people understand what it takes to do this. First they have to meet the criteria, the P.T. Test that the State requires to go into the Academy. Then they have to take a written test, that's standard throughout all departments. The Chiefs of Police Council had decided a test, then after the test, they have to go through an Oral Board. After Oral Board, if they're picked, they're given about a 60-page background packet that we give them; then the background packet that's used for a voice stressing analyzer, where they're given a lie detector test. The officers background has to be investigated. After the voice stress, then they get a conditional hire, if they're going to be hired; because you cannot do any medical without a conditional hire. So then you give them a conditional hire; then you go get a psychological test done; that's done down in Salisbury. Then you have to have an eye test and a physical test and a drug test done. That's

just to get one person into the State Police Academy. So it takes a long time. Usually, we're pretty good at crunching it down to trying to get it done at the last minute. That's what it takes, so the reason why I'm bringing all that up, it takes a lot of man hours to do a background of a person, so if we can potentially get the ninth person in, for the six month budget review, we would need some time, because it takes a lot of man hours and it's very taxing on the small staff that we do have, to do this. So if we have more information and could get to... We need something before March, before the six month and the reason why I'm saying that is because March is when the Academy would start, so they like the information previous to when the actual Academy starts.

Councilman Côté: Well, to get to nine, you'd have to add four, correct?

Captain Cornwell: That's correct.

Councilman Côté: And the Chief sat in the meeting and said...

Captain Cornwell: I understand. Like I said, I have no idea why... that was February, right? It was done in February?

Councilman Côté: If you get three... No, that was in June.

Captain Cornwell: That was in June. I'm not sure why he said what he said.

Councilman Côté: But if you added three, you'd still be at eight.

Captain Cornwell: Yeah, if we added three.

Councilman Côté: Which is where the budget is now.

Captain Cornwell: Yeah, that's where the budget is, yes, that's right.

Councilman Côté: And in theory, at the six month review, if you found the ninth person, we would be good to listen to that and see that go through.

Captain Cornwell: That would be March and the ninth person would have to be going through the Academy in March; that's what I'm saying.

Councilman Côté: Well...

Mayor Jones: Well, I'm about to say, I don't know about this being an open floor debate; maybe we could carry on the numbers...

Captain Cornwell: I'm not... I'm just letting you know what's...

Councilman Côté: That's where it is.

Captain Cornwell: Okay.

Councilman Côté: That's how it got there. There were nine and now there are eight and that was based on the Chief's comments.

Steve Crawford: Okay and the fact that there's an increase in overtime, reflects the fact that we were short officers and they need to work the overtime?

Councilman Côté: I believe that's probably correct.

Steve Crawford: Okay and how many officer's does it take to cover the town, 24/7?

Captain Cornwell: Since 2006 we were at ten.

Steve Crawford: I don't care what you were out. It's how many...

Captain Cornwell: Okay. We were at ten and with ten officers, we were able to take care of the needs of the town without causing due stress on a lot of the things that are going on.

Steve Crawford: So, now that we're down to five?

Captain Cornwell: We're currently at five. Yes.

Steve Crawford: How are we managing?

Mayor Jones: This is about the budget, remember?

Steve Crawford: Oh, I'm sorry. I apologize. Sorry.

Mayor Jones: Thank you. In the budget on the police items and I just had a look back; this is the original budget that was introduced by the Police Department in our budget packages. A couple of things and some of them are only reduced by a small amount of money. One under, I'm on page four of our draft presentation; under line item 5370, that's Meals for Prisoners for Police Cleaning; we allotted \$250; only \$24.95 has been spent year-to-date. Is that correct?

Captain Cornwell: Currently, when we had the ten officers and I was available to do so, generally on Friday's is when Work Release was the best day for them to get a prisoner, I would go over and schedule bring one or two prisoners over to clean the building. We don't have enough money in our budget to actually have someone come in and clean our building once a week, like Town Hall does. So, since I'm back on the road covering the road, plus doing detective work and administrative work and whatever else, I don't have as much time; actually I have no time to get prisoners. I did Friday and luckily it worked out, but I've not had time to get the prisoners over to clean the building.

Mayor Jones: On Friday, did the prisoners clean the building, as well as wash your vehicle?

Captain Cornwell: Yes, they went and cleaned and they washed the vehicles. We have them wash and wax vehicles also. They do that and State Police troops, they do that all over the place, so it's nothing uncommon.

Mayor Jones: Okay, I'm just... as compared to what's allotted, as to what's been spent. Also, up under number 5180, Training and Seminars, I do see that that's been reduced, but a new line item has been...

Captain Cornwell: What page is that on?

Mayor Jones: I'm still on page 4.

Captain Cornwell: Training and Seminars at \$12,765. Am I correct in my math, Mrs. Rogers? Somebody else who has eyes on this sheet. We've spent \$4,334 out of a budgeted \$10,465. Now, I understand we've had a reduction in personnel, however, taken from this package, again, presented for consideration when the budget was put together, the information, to my personal liking, under Training, is simply bundled together with a number of things that may or may not have any costs associated with them and the amount asked for was \$13,865. So my feeling on that, to approve that kind of a line item for Training, since your new recruits, providing we get some, will be in the Academy and some of that Training may be involved with the cost of meals that it takes to put those folks into the Academy, I would have to look through this more seriously. However, of this paragraph, I would like to see these things have costs applied to them, because I can't make hide nor hair out of something that just says Skill Pass Seminars, Mountain Bike Training to Officers, Ammo. Certainly we have some values that go with these things. If we're sending someone to Armory School, what's the cost; where is it going to be? Because we've added this year \$2,200 for travel and I'd like to know what components of this training requires travel and lodging.

Councilman Coté: Here's the detail. I'm not sure which version you're looking at.

Councilman Collier: Can I move forward? Captain, did you prepare this budget?

Captain Cornwell: I have no...

Councilman Collier: Well it seems a little unfair to be calling upon you to defend it.

Captain Cornwell: Generally, I do all of the training, but this year I have not.

Councilman Collier: No, I'm talking about the preparation of the budget, not the training,

the budget itself.

Captain Cornwell: No. No. I do the training, but generally I prepare the line item for the training also and this year I did not do that.

Councilman Collier: Okay, because it's a little tough to ask you to defend something that you did not prepare.

Captain Cornwell: Yes, I appreciate that, because I know that the Armory School is coming up in this budget and that's what I did it for, for our rifles and it has to be done every three years. I can get the pricing. Like I said, generally I do the pricing for all this stuff and I didn't do it this year.

Councilman Collier: It's kind of tough putting you on the spot, if you didn't put the numbers together to begin with.

Captain Cornwell: I appreciate that.

Mayor Jones: Well and I appreciate your being sensitive to that Councilman Collier, but I wasn't asking Captain for those figures. I wanted just exactly what was presented here. This is helpful.

Kristy Rogers: And if I can add a note, the detail that you are looking at at the moment, what's in the budget is \$1,100 less and that's going based on the same information we just heard about only two being in the Academy, not three.

Mayor Jones: Well you have a... I looked at this myself and I'm looking at the itemized... are you listening to this too? The Miscellaneous Training, such as interviewing children, dealing with difficult people, leadership and women's administrative conference. I'm not sure which women's administrative conference that is, but I know there's one going on in Washington coming up at the cost of about \$2,400 per head. So I don't know whether that's included there, or just a placeholder.

Kristy Rogers: That's the Skilled Path Seminar in Dover.

Mayor Jones: Most likely dealing with difficult people, is as well. Now it says Glock Armor and Shotgun Armor Training. I'm going to assume those are in two different locations?

Captain Cornwell: The shotgun, I was going to take shotgun, but it didn't happen. Rifle armor is coming up in January is when I need to go to that and that's down in Murdoch, NC and I believe it's a two-day class. So I would leave here obviously the day before and then I would come home that night.

Mayor Jones: But your rifles aren't Glock, right?

Captain Cornwell: No, the rifles are not Glock, but our pistols are Glock. I have to look at my Glock Certification. I thought that I just recently took that within a year now and it's good for three years. I didn't put this together, so...

Mayor Jones: I want to make sure that if...

Captain Cornwell: The Glock is done locally, within the state, generally Glock comes here. It's a one day class, usually costs a couple of hundred dollars, or so, for that. The Murdoch, NC trip, I think that I can drive down there; now every three years for funds instructor, I was lucky that those of you brought Glock in for professional instructor, you had to be a fire range instructor in a Glock armor; they brought that in, so that was taken care of at a reduced rate. I didn't have to go to Smith & Wesson Academy to get that done. So that should be good for another couple of years, as far as _____ instructor, as that goes. That was at \$800 and something dollars vs. up to a couple of thousand.

Mayor Jones: Okay. Less than half of the training budget from last year has been spent, to

date.

Captain Cornwell: I know that some of our ammo hadn't come in and the ammo's a big issue. They just sent out an email because some vendors... it's taken a year sometimes to get ammo and I'm actually still waiting for the frangible ammo that the state, because of the special requirements of the State Police Academy, or the fire range has, I'm still waiting for that 45 ammo to come in, that we borrowed from the State Police to give it back to them and then I'll have potentially have more people going through and I'm going to have to pay it back and that stuff, because it's frangible and has no lead in it, is super expensive, even at state contract price; so I'm still waiting for ammo to come in.

Councilman Coté: Madame Mayor, my recollection is we just signed checks recently. These numbers are as of May, the end of May for the expenditures on the budget and I believe we just signed checks recently for a lot of ammo.

Captain Cornwell: Yes. But still not all of the ammo's come in, unfortunately. I'm still waiting and it's a big problem.

Mayor Jones: How about you Councilwoman Patterson? Is there anything down at that end that you're looking at or have any questions about?

Councilwoman Patterson: I don't tonight.

Mayor Jones: Okay.

Councilman Coté: I just have a thought that I iterated earlier about the legal expenses. I think maybe Mrs. Rogers and I can get together and go over what we've spent and where we've spent it and what we know, what, if anything, we know we didn't spend out of the budget for this year and what might be coming up.

Councilman Collier: Shall we talk about the Fee Schedule?

Mayor Jones: Okay.

Councilman Collier: Alright and I've raised this question before and I know that it says that the Annexation Fee is \$8,000 per acre and that fee was developed when we still owned the wastewater treatment plant; so should that fee certainly be adjusted to reflect that we don't own the wastewater treatment plant? That would be one thing. I see that there is a new fee for gazebo usage fee. Is that going to be a flat fee across the board, or is that going to be something that we're going to have to tier, depending upon the amount of usage?

Mayor Jones: I think that's on tonight's schedule, to be discussed.

Councilman Collier: Okay. Street Excavation Replacement. It says actual cost to repair is what the fee is. Now, what I guess I'm driving at is that what it actually costs the town to do that excavation and replacement; if the town's required to do it? Or is that the fee that whoever... for instance, if Tidewater cuts a hole in the street to repair something? I mean, I'm not sure how that... what that covers and I'm just trying to get an answer to that. You don't know, but it's all in here and I'm just curious because should it be actual cost to repair or should it be actual cost, plus a factor for overhead; because if it's being repaired by somebody else, we still have to send an employee out there to do it, if our people do it? You have to factor your overhead in that and the way I would interpret this is that if it cost \$800 to patch the hole in the street, that's the end of it, even though maybe Mr. Wingo had to dispatch one of his staff out there to inspect the job, so that's an additional cost; plus you have to prepare the bill at the administrative level.

Kristy Rogers: I agree and the possible administrative fee could be the 10% just as...

Councilman Collier: I don't know. Maybe it's something that we haven't had to do or hasn't

been done in years, but the potential for it comes up and let's recoup everything and not be doing this in that sense. Because they're just a little bit more than the actual cost of the asphalt that goes in the hole. I'm assuming, since it says actual cost to repair, that that's a repair done by our people.

Kristy Rogers: I'm not sure. We haven't had that occurrence in more than three years.

Councilman Collier: Okay, well that may be, but I would just like to see that those things, where it says actual cost repair; utility discontinuance fee; I don't know what that means, but it says actual cost to repair, but you did that here at a water meter and it's actual cost, plus 10% administrative fee. Should we not be consistent across the board?

Councilman Coté: I have a question about that for Mr. Wingo. If it's done internally by you and your staff, how do you accumulate the cost of that? If it's actual cost to repair and you do it, how do you go about accumulating that cost?

Greg Wingo: Depending on what it is, if it's due to water...

Councilman Coté: Would you accumulate man hours, plus fringe benefit costs, plus equipment charge and I'm not sure how we would... how would we do that?

Greg Wingo: First thing is we have to figure out what it's for...

Councilman Coté: Regardless of whether it's being paid for by the General Fund or the Water Fund, you still have to do the same work to figure out what it costs. It's two hours of you, plus two hours of one of the guys, plus how many trucks did you use and what were the supplies?

Greg Wingo: Well right now to fix a big section of a road or something, it would be a vendor that we would call in here to go ahead and take care of the road.

Councilman Coté: Well, that's easy.

Greg Wingo: As I said, it still all depends on what it is. Is it just road? Do you have to dig 10' down?

Councilman Coté: Right. I'm not sure how we, as the Town, if we have a process to accumulate that information to make this bill, if we do the work. Mrs. Rogers?

Kristy Rogers: I think as Mr. Wingo said, we wouldn't be able to do the work. We don't have the means to do hot patch or if it's a water main break, to a certain extent; that's a contracted service, as it is. Right now, I assume it's whatever bills the town should incur for that repair, is passed onto to the person.

Councilman Coté: The outside vendors are fairly easy, if you get a bill.

Kristy Rogers: But for Town employee's at this time, I don't know how to estimate that. We haven't, as I said, billed anyone since I've been with the Town.

Councilman Coté: Okay, well I guess... if that's the... we might have to think about that a little bit. We'll get together and think about that. Thank you, both.

Councilman Collier: Last question about the Fee Schedule for me. At the very bottom, you have the tax rate on here. Is that the proposed tax rate, reflected on here, or is that the current tax rate?

Kristy Rogers: That's the proposed tax rate.

Councilman Collier: I just wanted to make sure that we had the right tax rate on there. Thank you.

Mayor Jones: I know in the make up of the previous Water Committee there was discussion, at least a year ago on the possibility of taking a look at water rates. Now I know that the Water Committee is up and running and projecting some planning for the future. Do you

foresee or have you discussed anything about water rates in this year's budget, because there was a hint in a budget gone by, that perhaps an increase in that rate would be necessary or was recommended and I didn't know if your committee is working on anything like that at this time?

Greg Wingo: There has been discussion about it, as of probably in this year's budget, I don't see where we can have everything together, but it's probably down the road; but just not in this year's budget.

Mayor Jones: Do you know, even an estimate, how many properties we supply with out-of-town water?

Councilman Collier: Do you mean how many out-of-town properties?

Mayor Jones: Properties. Did I say that?

Greg Wingo: I would say probably, approximately 20.

Mayor Jones: Okay. Thank you. Mrs. Rogers, do you experience Non-Sufficient Fund checks on occasion?

Kristy Rogers: Once in a while.

Councilman Coté: Just a little clarification on that. Those are not our checks that are Insufficient Funds; those are people's checks that are Insufficient Funds.

Councilman Collier: Does the Town incur a charge when somebody gives you a check with NSF and is this fee equal to or greater than what you're getting?

Kristy Rogers: This fee is greater than what we're charged.

Councilman Collier: Okay, so there's a little bit of administrative and therefore you're having to go through the trouble of tracking it down; that was my question? Thank you. The only other thing I see on here and I don't have a figure to suggest, but I know that it's been some time past the Town had raised the percentage rate on building permits, in excess of \$3,000 and it was right about the Town that the building market went south and a group of builders that were working in town at the time, came before the Council and asked them to lower it, and they did. Is it time to consider looking at what our neighboring communities get and raising ours comparable to them?

Kristy Rogers: I can survey other towns to provide that information.

Councilman Collier: I think it would be interesting to know, because I do know that that occurred in about 2007 or 2008; the Town had submitted a budget and they raised it I believe, all the way up to 2% and then all these builder's came forward and spoke on their own behaves about how that was going to really burden them and the town relented and burrowed it back and it may be time to consider that, certainly, as a source of revenue, other than taxpayer dollars.

Seth Thompson: When it comes to those types of fees, though we do need to be able to justify that it's rationally related to the Town's administration.

Councilman Collier: And I understand that.

Seth Thompson: If we're going back and looking to see what other people do, that's certainly helpful. We just want to make sure that...

Councilman Collier: Well it gives you an idea of what the market is and we have to see if we're providing the same services as that Town, for that percentage.

Seth Thompson: Right.

Councilwoman Patterson: And I have to tell you, with the growth that's occurring in Town right now, I'd hate ti dissuade anybody from wanting to come into...

Councilman Collier: I'm not looking at... I wouldn't imagine it would amount to 3 or 4%; but if it's a quarter of a percent, then it's better sooner than later.

Councilwoman Patterson: I guess so. It all adds up though, but yeah.

Councilman Collier: It's only for investigative purposes...

Councilwoman Patterson: Oh absolutely. I'm just voicing my side of things. I'd like to see a little more growth in town. It was wonderful to drive through Saturday night and see it so busy downtown.

Mayor Jones: While we're talking and you had brought up the gazebo usage, my concern on that is it extends past just the use of the park and the reimbursement, or the offset of the costs that are incurred by the Town, such as electric, or water, or particularly the need to have increased cleaning of the public toilets. In addition to that, I'm just going to take a large event, for example, like is coming up and I think I explained that to you in an email. The Chamber may get \$125 from every vendor, which is paying for a spot to come into the park. Right now, the Town receives nothing for that park's use. Is it fair, is it even something to think about, that those vendors receive; whether they be daily permits, something like you give at the Christmas Parade, when you see the folks going up and down the street? I just would like to know if Council can give some consideration to that. I think that there are things that are taking place, that we're missing out on. That may be one of them. I don't think, in that case, that's going to be covered by that gazebo use fee and that is someone who's conducting business in town, even on a temporary day basis. So just something to think about. They're paying to get into the event...

Councilman Collier: So you're proposing something like a Day Vendor Fee?

Mayor Jones: A Day Vendor Fee. This is just, again, just trying to ferret out anything that we have not been charging, but others have been charging for such things.

Councilman Collier: For me, the idea of a fee for the use of the park is more so. I spend probably more time in the park than anybody else sitting up here and I see the amount of time that our Public Works staff puts into preparing the park for an event like that. I also see the amount of time they put into cleaning up after an event like that and we should at least break even, is the way I look at it, because when they're in there preparing and cleaning up after an event, they're taking away from another service that the taxpayer dollars has paid for, because they can only be in one place at one time. So, there's a need to at least consider trying to break even on allowing events in the park.

Councilwoman Patterson: So right now we don't charge for events in the park?

Councilman Collier: I've got to tell you, in a way, I host a lot of events in the park with the train and I realize... and even those create, even if it's an hour of time, more so on the clean up than the preparation; at some point in time, the Town has to break even on these things. It's a wonderful venue and everything else, but the wear and tear on it and what have you over a period of time, where's that going to come from? That's going to come from the taxpayer and most of the events that I deal with, I would say 70% of them come from people that are from outside the tax base of Milton; so these people come; they use the park and they do what they do; they have a good time; they tell you how wonderful the park is; they're happy to be there; and they leave and they haven't really contributed anything, other than to pay the fee for the train.

Councilwoman Patterson: Are they usually large groups?

Councilman Collier: I get some groups that are as large as they probably have 40 or 50

people at the event; some of the ones in the earlier part of the year, we get groups out of Lewes and Rehoboth clubs that come in; Fraternal Lodges out of Georgetown have come in and used the park. Probably the one one that even makes an effort at trying to clean up the river scene, is the Bass Club, where they do their tournament. At least they do walk around trying to pick up the better part of the trash. I can't tell you they get it all, but they try.

Councilwoman Patterson: But it's hard to figure out what a birthday party of 15... would that be a special use, or would it...

Councilman Collier: I understand that and that's why I said, particularly the large events and I'm not going to mention what they are, who sponsors them, or anything else; but there are large events where you have hundreds of people in the park for the day.

Councilwoman Patterson: That's tough on the resources there. I think smaller groups would be one thing and you don't want to dissuade people from coming to town...

Councilman Collier: I don't look at it as that either, but it's something...

Councilwoman Patterson: Because it does say on here for special events and so, I think we need to sort of classify what a special event really is.

Councilman Collier: That's why I brought up the thing. Right now I guess the \$25 line item is there as a placeholder, but we probably need to look at it a little more closely and determine how we want to structure... maybe a Fee Schedule within the Fee Schedule for use of the park.

Councilwoman Patterson: I think if there's 100 people coming in and they're not cleaning up their trash, Mr. Wingo you'd be down there for a good amount of time, trying to get the park back together.

Mayor Jones: Well, it's preparing. It's knowing that that many people are coming and you delegate workers to take cans around. Clean Delaware has had to come and do an extra cleaning. Right now, we haven't been recouping the money and it has been going on the taxpayers, so this is our first attempt and we do have that paperwork that we will look at tonight. I've had recommendations from some outside sources too and I'll share that when we get to that line item.

Councilwoman Patterson: I definitely that we can review that.

Bob Howard: Are you still taking comments from the public?

Mayor Jones: I will take a comment from you, if you would like to stand at the microphone Mr. Howard.

Bob Howard, 217 Chandler Street: I'm on the Economic Development Committee. I'll make two quick comments. One, Mike Clark is the President of the Board of the Chamber of Commerce and he comments often in our meeting that events like Bargains on the Broadkill, or the Horseshoe Crab Festival, that the Chamber sponsors in the park, is done in general, for the benefit of the town and they are doing it to attract people to the town to put Milton on the map, so they consider they're doing that for the benefit of the town and they often question why the town isn't helping them more. The other quick comment is, I've had experience with the public beach in Lewes. To have a bonfire you pay a fee of \$25. You don't pay anything to go on the beach, to use the beach or whatever. If they're going to have a group larger than 25 people, the fee is higher. I'm not sure, but I think it was \$50 if it was what they call an "event" and their fee for an "event" is different than it would be for something with less than 25 people.

Mayor Jones: Thank you.

Councilwoman Patterson: Thank you.

Seth Thompson: Pulling together some materials, I also looked at... and I didn't print out all of Milford's website, but they seem to range from about \$25 to \$100 and I think I gave you some of the Dover fees. It seems like it's around \$25, \$50.

Councilman Collier: I guess we'll get to that when we get on down the line here. I have no more for the budget. I'm done.

Councilwoman Patterson: I'm done right now. We can come back to it.

Mayor Jones: Mr. _____, if you will go to that microphone.

Unidentified Speaker: It's for everybody. What the heck is the temperature in here? You guys have full energy code. Just for the record, the energy code is 78 in the summer; that's why it's freezing...

Councilwoman Patterson: It's roasting. In the winter, we're hot.

Unidentified Speaker: And the winter is 68. Please spend some money.

Mayor Jones: Remember, this is the library, not the town.

Councilman Collier: It belongs to the County.

Mayor Jones: I agree, but I would say, take your comments downstairs, we can't do much except wear mittens up here. It's quite chilly.

b) Police Department Physical Fitness Policy

Mayor Jones: At the July 24th meeting... No, I'm sorry, at the August 4th meeting we discussed the physical standards, which is 9.b. We had just a quorum at that meeting, but in order to... I know, I'm looking at the same thing. I don't know how much longer this can wait. I think we need to get this started in the last month of this budget, then it needs to be cleared. You will find on the page marked Fitness and Wellness Program, that typo was corrected; but you'll have in front of you, the package that includes the policy and some attachments.

Councilman Collier: I'd like to make a motion to approve, as presented. I think we've discussed it and I can't say anymore, until we get a second.

Councilwoman Patterson: I'll second, for discussion.

Councilman Collier: Okay.

Councilwoman Patterson: So at the last meeting, this was thoroughly gone over.

Councilman Collier: We've heard input from everybody. I think it's generally in the best interests of the Town and the employee.

Councilwoman Patterson: I agree.

Councilman Collier: I'm ready to go forward with it.

Mayor Jones: Councilman Coté needed a longer time to review it, so I hope this has given you this time.

Councilman Coté: I did just read it and I think I ended up finding both copies. Well I had one thing from the original meeting from the first time it was given and the one I read had 3 or 4 typos in it and my thought about it is and it was... the purpose is how these guidelines for administering a wellness program and I think the Captain brought this up last time, is this whole thing is really about the physical standards. It's not... There is no other and maybe it's just grammatical and maybe it's just the way the words are written, but there is no other part of the wellness program that I've seen, that's here and this is the physical fitness standards and as it is, the physical fitness standards... I know that folks spent a lot of

time on that, so I'm okay with the physical fitness standards; but if it's part of the wellness program, we should see the rest of the wellness program.

Mayor Jones: Did you not have attachment "B"?

Councilman Coté: Well...

Mayor Jones: Which indicates the thorough testing and involvement of a physician and...

Councilman Coté: It's all about the physical standards.

Mayor Jones: It's all about somebody being well through extensive testing.

Councilman Collier: Well you have to test them in order to determine if they have an issue with their health.

Mayor Jones: This comes as part of... You do understand that is part of...

Councilman Coté: Yes and I read this and I read it as part of the physical standards, not necessarily part of an overall wellness program. Now, the easiest thing to do, for me, would be to change the purpose and it's just physical standards.

Mayor Jones: My debate would be physical standards would encompass the policy and attachment "C", if you didn't go through the extensive amount of blood work and everything else, that you are giving the officer, to determine their well being. A physical standard would be to just simply through them up on a treadmill and see how long they can go, but this includes, under careful medical review, all of the things that you'll notice here, which is how the wellness program has been added to this policy.

Councilman Coté: I guess it's a point of disagreement and I'm not convinced yet, but I don't know if Councilwoman Patterson has anything to add, being in the business.

Councilwoman Patterson: Well, I think if you have a fitness policy, you don't quite meet it; you don't have a wellness step right after that; just makes sense, so they sort of fit together.

Councilman Coté: And when you read this, do you see the wellness part of that?

Councilwoman Patterson: Yes, because I don't think that you could do one without the other; because they sort of go hand in hand.

Councilman Coté: But did you see it in here?

Councilwoman Patterson: Yes.

Seth Thompson: It might be helpful Councilman, to compare it to what policy is on the books now, which I think is purely a physical fitness test. I think because this policy is broadening what's currently on the books, I think that's where the term wellness comes in. I think the one that currently exists, doesn't reference any of the blood work and that sort of thing and it might just be a matter of semantics. What people view as wellness. What wellness encompasses.

Councilman Coté: When I go to the doctor, I go for a physical. I don't go for a wellness and my doctor does blood work.

Councilwoman Patterson: But if they found something that was not...

Mayor Jones: Wellness is simply a name to the program.

Councilwoman Patterson: If your doctor found something that was inconsistent with where you should be at the time, he would actually put you on a plan to get you... like your cholesterol is too high through your physical, which mine is.

Councilman Coté: I would predict that would be separate from my physical.

Mayor Jones: The doctors at this particular place, do.

Councilwoman Patterson: Make recommendations.

Mayor Jones: Yes, make recommendations, but again, if it were just physical fitness, where

would all the lab analysis, physical examination, preventive medicine, sensory...

Unidentified Speaker: This is a punitive...

Mayor Jones: This is not punitive.

Unidentified Speaker: How?

Mayor Jones: This is not up for debate, young man, excuse me, please. Sensory testing. You know without this kind of testing, do these officers go each year for EKG's, do they go for audiograms and visual screening; do they go for pulmonary function? If you're not getting this every year in a complete physical and I'd say I've turned to Councilwoman Patterson for this; I don't know that all this is done on a specific, quick, yearly exam when you go to your doctor. He's going to send you for blood work, probably; but an EKG and everything else. I don't think so.

Councilwoman Patterson: No, but I know other departments use this analysis and there are other professions that need to have more... especially something that's so physical, so they will take the steps to make it a little more comprehensive.

Mayor Jones: I'll go out on a limb here, because it was mentioned before, that perhaps a wellness program should be the town offering some kind of access to a gym. Right now, and I have to agree with the Town Solicitor, if you read the physical standards policy, as it exists today, it talks about an officer having been assigned to the task of making sure that these officers are consulted in their wellness; consulting them on their diet; their sleep; their physical activities to stay well. This is all under the careful review of physicians and healthcare providers.

Councilman Collier: Doesn't this also, if there is a problem, uncover itself with the health insurance that we provide to these employee's, so now it's been identified and they have that health insurance, as a secondary back-up to any problem that may have been uncovered through this rigorous testing? I mean, that's the way that I view it and perceive it. The wellness portion we're already providing in the form of health insurance that we're providing and this is just additional testing that we're making sure occurs on a regular basis, in order to determine that if a guy's got a problem, let's find it sooner than later. I value the Police Department. I think it's to their advantage, myself. My employer has all kinds of wonderful little programs that they encourage us to do and they even give us incentives, much like this program, to do them and through those programs I found out I had an issue and then my health insurance kicked in and helped me deal with that issue. That's the way that I view this. Now mine's not quite as rigorous as this, but then again, I'm not subject to the same day to day activities that they are, but that's how I view it. So the comment that came from the audience about punitive. I don't see that this is punitive, at all. I think this is even modeled after something that was included, that came out of a police union contract. Unions don't usually allow punitive things to happen to their covered employees.

Mayor Jones: This did come from Rehoboth Beach. The State of Delaware also uses this program, however, there are other municipalities that use this particular healthcare provider, or contracted provider, but require that the employees use their own insurance to get all of this background work done, before anything else is on the back of the employees.

Councilman Collier: Okay, well, at this point in time, I'm not going to withdraw my motion based on any of the discussion. I moved and my motion remains the same to approve it as presented.

Mayor Jones: Is there further discussion?

Captain Cornwell: What would you do with the employee that has problems? Is there a disability that the Town offers, because they can't pass this? I mean, are they simply fired after so many years and their actual retirement doesn't pick up? How would you do that? What's the plan if someone can't take care of this, after 13 and 15, 20 years?

Seth Thompson: Captain, the procedure is laid out in the policy in paragraph N, where those who fail to pass the physical will receive and then it goes through a series of steps. It's not...

Captain Cornwell: There are punitive steps and I understand that and I brought that out last time; loss of pay 12 hours, up to I think 100 hours of pay, or something like that...

Seth Thompson: 120.

Captain Cornwell: 120 hours of pay. I understand that, but what I'm saying is, what happens if the person continues on and has to retire, but doesn't have retirement at that time, what disability does the town have for it's employee's? Most towns have disability for their employee's.

Seth Thompson: Well, if there is some physical limitation that's preventing the passing, that would fall under the different categories, so if you look at paragraph J, it talks about somebody that is unable to take any portion of the physical fitness can submit medical documentation.

Captain Cornwell: And then it says, right below that, I believe that then the town... they have to take it within 60 days. If they don't, they could be fired.

Mayor Jones: Actually, it states, do you want to read the end?

Seth Thompson: Sure.

Mayor Jones: It's a recommendation.

Seth Thompson: That's right. So the Town Administrator is then put in a position of needing to deal with that issue; because again, were already passed the 60 days. It does note that it's possible termination, but it's not automatic termination.

Captain Cornwell: So, what are the steps? If it's not automatic termination, what are the steps built in to rectify the incident? There's no steps here. It's that they can terminate, but there's nothing besides termination. That's why I'm asking.

Seth Thompson: Well, it says for a recommendation or possible termination, so there could be some other appropriate measure taken. It's going to need to be done on a Ad Hoc basis, frankly. I mean if it's an injury that's continued for the 60 days, but the doctor says you're going to be cleared to go back to work next week. It wouldn't make sense for the town to say we're going to terminate this person. It's hard to kind of lay out a specific kind of set of parameters, just based on the fact that injuries are going to be very different. So they're just going to have to be judged on an individual basis, unlike the situation where somebody repeatedly fails the test, even though they don't have a physical injury that prevents them from taking a portion of the test.

Captain Cornwell: How about if they have an injury that was caused on the job while working here, that may prevent them from passing one of the tests? What would happen with that?

Seth Thompson: So they've been injured on the job?

Captain Cornwell: That's correct.

Seth Thompson: And they're no longer capable of performing their duties, at all?

Captain Cornwell: No. They're injured on the job and one of these tests they may not be able to pass, because of the injury that happened on the job here; what are you going to do

with that?

Seth Thompson: And again, it has to continue for 60 days.

Captain Cornwell: I'm not saying that they're injured then. They've been cleared to come back to work, however, that injury still has not been up to 100% to allow them to complete one of the processes on this. What are you going to do?

Seth Thompson: Well, that's going to be up to the doctor. The doctor's the one that needs to verify that the person is not capable of taking the test.

Captain Cornwell: Which doctor?

Seth Thompson: Basically that person gets to provide written medical documentation, prior to the test, so if they've been hurt, seemingly they go to their doctor.

Captain Cornwell: I understand that, but you're missing the point. If they're injured and they take the test and they can't pass a certain portion of the test and they were injured on the job here, or wherever, but let's just say on the job here and they can't pass this certain test, because of the injury that happened, whether it was recent or awhile ago; what plans or steps do you have for them, if they don't pass it and it's decided that they need to leave the job? What steps do you have in place, as far as that?

Seth Thompson: I think we might be putting the cart before the horse. Normally, if somebody feels that they have an injury that's going to prevent them from taking the test, they need to get that medical documentation and submit that, before they take the test.

Captain Cornwell: What's the section on where it says if they can't do anything, then the town will look at it and decide if they're going to do something up to termination?

Seth Thompson: I'm looking at that. It's paragraph J, so again, it's just going to depend on how long that temporary impairment can...

Captain Cornwell: What happens if it's not a temporary impairment? You're not...

Seth Thompson: So is your theory that... Is the hypothetical that there's an injury that the person is not going to be able to perform their job, ever again?

Captain Cornwell: Not perform... One of the things is... the ironic thing in this, is it has a general... it goes a very general job description in place for this; but not everybody follows and does that job description that's listed in there. So, based on what their position or job description is, they don't all... not everybody does the same thing as what that basic job description is. That's what this testing is based on. For example. I'll give you an example. Right now our policy says that you can and other towns have this, you can ride a bicycle for 4.1 miles in so many minutes, per age group; you can run 1.5 miles per age group; or you can walk 3.1 miles per age group. This just says treadmill. It doesn't have can you go on a bicycle and do it, instead of running?

Seth Thompson: I guess if you look at that from the other vantage point, we have one person that uses a bicycle, so why would you have somebody tested on...

Captain Cornwell: Who's one person that uses a bicycle?

Seth Thompson: Well don't you have one officer that patrols on a bicycle?

Captain Cornwell: Right now we don't have anybody patrolling on a bicycle, but certified bicycle patrol; there's only two officers... I've been certified on bicycle patrol since 1994 through IPIMBA, is when I got my first certification. So even the Chief, I believe, is certified for bicycle patrol. So riding the bicycle... what I'm saying is for the cardiovascular testing part of it, this just goes with treadmill. It doesn't give a broad range of different things you can do.

Seth Thompson: I thought the concern was that the policy didn't reflect what people actually do during their job, which would mean that the person that... let's say you have one person that patrols on bicycle, seemingly, he should test on a bicycle. The people that don't ride on bicycles, shouldn't test on a bicycle. If we're concerned about having it match exactly what people do.

Captain Cornwell: What I'm saying job description is if you have somebody that's an administrator, generally he's not out there running around the streets. They're pretty much there because of the administration part, being able to operate the department, not go out there and run around like a teeny bopper new officer. Okay? Do you understand what I'm saying?

Seth Thompson: I do.

Captain Cornwell: That's where I'm getting into job description, not bicycle patrol vs. patrol, because a majority of time Police Officers sit around in the car and operate the accelerator and steer; they're not out there running. It's very rare that you run. It does happen, but it's very rare. So I'm just getting into that point, it's what level are you at to what you're going to do.

Councilman Collier: And my question to you and I'm sorry to interrupt Mr. Thompson, is why would you bother to even have a physical standard to join the Police Department, if you're now going to tier based on what your job is? It's my understanding, first of all, and I've got to go backwards with you, if somebody is injured on the job and is properly documented, then they should not have been allowed to return to work unless they were at 100% and if they return to work at less than 100%, now you cross the line into an integrity issue, because essentially what you have done has misinformed your employer and it's certified that you are greater than your capacity actually is. That would be my first point. So, you know...

Captain Cornwell: Actually Councilman Collier have you ever had a joint injury of any sort?

Councilman Collier: Oh certainly, would you like to see the knee I had replaced, or the other one that I've had a radically metesectomy on?

Captain Cornwell: Have they ever guaranteed that it's a 100% recovery?

Councilman Collier: They certified that I was 100% capable of performing my job as described.

Captain Cornwell: But, was it 100%? Are you 100% of what you were before?

Councilman Collier: Actually, I'm better than what I used to be with the replaced knee. I can honestly tell you.

Captain Cornwell: I'm talking about when you were younger.

Councilman Collier: No, I don't think any of us are and I'm not here to debate this with you. I just made a comment and the point of the matter is, if you or any officer was injured in the line of duty, it should have been properly documented and no one returns until a doctor certifies that they can return at their capacity. That's assuming that's 100% number, that's just a capacity thing. If you got shot in the foot in the line of duty, you're not coming back until your foot is healed, correct?

Captain Cornwell: That's correct.

Councilman Collier: Alright and the doctor certified that you are suitable for duty...

Captain Cornwell: At your capacity and what happens if your capacity was in an

administrative position at the time?

Councilman Collier: I don't know that we have those designations within your department. All of you all wear the same badge and have the same duties, as far as I'm concerned.

Captain Cornwell: Well, the job descriptions were asked for by the previous Town Manager and sent up well over about a year and a half ago.

Councilman Collier: I can't account for that, I'm sorry, Sir, but I will tell you that it's in everybody's best interest, officers and citizens alike that a policy like this be put in place. The biggest _____ I have is that we have an officer who in the line of duty, has an aneurysm or something like that, that bursts and they dies on the scene and we, as a town, fail to help this guy learn that he had this and prevent such a thing from happening; because what you do is you open the town up to what could be a significant lawsuit, because we failed to certify that that officer was fit for duty and it happens every day.

Captain Cornwell: It happens to young and old.

Councilman Collier: Exactly and as far as I'm concerned from the oldest officer to the youngest officer, you're supposed to be able to perform your duty and these tests are tiered to reflect your age. You're not held at the same standard that a 20-year old is.

Captain Cornwell: I understand that.

Councilman Collier: Well then, I'm failing to see your argument other than...

Captain Cornwell: I'm just asking general questions about injuries, previous injuries, things like that. And then to go back to the comment about Rehoboth and a unionized agreement on this. A lot of times when unions have the back and forth on what they're going to agree to, the Milton Police Department we have no union, so we can't agree to what we're willing to subject ourselves to and what we're not willing to subject ourselves to and then the other question... well one question I have is, the age of 45 is that the same as Rehoboth? Or is it higher than that?

Mayor Jones: The same.

Captain Cornwell: Okay and to go on record, the only reason why I'm asking that is because the previous Town Manager when some policy came out, the previous Town Manager had a meeting with some of our officers. I was not there, the Chief was not there and he told this group that the Personnel Committee was working on some policies that were going to change some things down at the department. One of them being the physical fitness policy and that no one in that room had anything to worry about, only a couple of people at the department. The couple of people at the department was myself and the Chief, that were not present and I believe the same people that are on the Personnel Committee right now, were the same people back then. That's one of my concerns and actually one of the officers actually taped it and we have that taped conversation. So that's why I'm just trying to clarify things that are going on with this.

Councilman Collier: Well, I would like to inform you of one thing. I wasn't on the Personnel Committee under the previous Town Manager and as far as I know, in fact only one of the four members that are on it, was. So, I would say that that's probably some misinformation that was contrived at this particular point, because this was new to me. I worked on it. I think it's a sound policy and I don't see any need to reinvent the wheel at this point in time and I'm still not going to withdraw the motion that I made to approve this, because I believe it.

Captain Cornwell: Okay.

Julia Smith Morris and God willing I will occupy 118 Magnolia Street at some point, while I'm still alive. I have no dog in this hunt whatsoever. I may be the only neutral person in the room. I don't have enough history to have one, but I've been to three Council Meetings so far and there's an undercurrent here and I don't want to say disrespect. There's something going on. I don't know what it is. So much of this policy seems to me to be based on weight and the timeframe is not sensible. I would be thrilled to lose 30 pounds in six months, but it isn't going to happen in 30 days; it isn't going to happen in 60 days; that's not even healthy. They don't recommend that you do that. So are we just asking these people to begin to step down? I don't understand what's going on.

Mayor Jones: To address two points. One, that the Captain brought up about former Town Manager. I cannot speak to what he may have come down and talked to in the department. I do not have any knowledge of working on a physical standards or wellness program under the last administration, or even under my own when I continued with the former Town Manager. This has come about, I would say within the last four months. We did not reinvent the wheel. This is being used by other police agencies throughout this state. As a matter of fact, this particular contractor is used as the standard for applicant's actually getting into the Academy, at this time. Your comment about the law enforcement duties and responsibilities, I'd also like to go on the record to say this in no way, shape, or form, is a description of your job and all the things that go with it. This is a very generic bit of information about what duties can include, what law officers are often required to perform and I do not believe that these standards are askew in any way for routine police work, routine police work. I don't know anyone, Captain, taking your example, that comes into police work and is hired for strictly administrative purposes when they come in down here and go forward. These are things that folks on the streets perform. These duties are often performed by administrators who because of labor crunches, go back on the street, part-time, in addition to their administrative responsibilities. The point is, that law enforcement officers are under a lot of stress and strain when operating under some of the worst conditions; you don't know what you're pulling up on; this town is finally saying, we believe it's time to make sure that you're well when you're doing it and that is not just well for the hours that you put in here, but it's well in your life. It's just not about your hours here. Your own program, doesn't work. Your own policy, on the books, today, is not followed. You do not have an officer who's taking care of watching your diets and giving you exercise instruction. You have someone named in the policy at this time that does that. I'm going to assume that that person would be a trained person. I don't know where they receive that training, but a dietician or a healthcare provider, at many levels, requires training in order to impart that information onto others.

Captain Cornwell: So we're going to have someone if we don't... according to you, we're going to have someone that's going to help the officers get to where they need to be.

Mayor Jones: The folks who will review you during these physical tests and the physicians who will review these laboratory tests, will give recommendations to the officers, yes.

Captain Cornwell: Laboratory tests... I had all that stuff done and passed with flying colors; I just got the result two weeks ago, so there's no problem with the lab. Nothing with the lab. What I'm saying is what are you going to... The 60-day retest, if an officer fails, is that long enough for someone to actually to be able to do something?

Mayor Jones: Well you're putting an awful lot of hypothetical issues out there, that I'm not even going to try to answer you with a definitive answer. I do not know.

Captain Cornwell: Will this start in April, which is about 8 months away and is that a reasonable expectation for people that do have problems to get into shape, to do it in April? And going to the budget thing, we're cutting a lot of places down in budget, and again this is going to cost \$6,000-\$7,000 vs. right now it costs nothing for the P.T. Test that we do, other than maybe a couple of hours of overtime.

Mayor Jones: Well, all I can tell you is that I, personally, upon reading the policy for physical standards that are present right now, leaves an awful lot to be desired; if the administration and this town really has any caring whatsoever for the well being of officers and other employees.

Captain Cornwell: I could on a lot about the last thing, but I'm not going to.

Mayor Jones: I'm sure that you could, but again, remember, we're not reinventing the wheel. This is not punitive. This is being used by several agencies in this state.

Captain Cornwell: The State Police and the City of Rehoboth. Who else?

Mayor Jones: Can you tell me who else does just bike riding? Or just walking? Or just a run?

Captain Cornwell: The bike riding, I can tell you that the U.S. Air Force uses bike riding, running or walking for their people and that's a military branch and so that's used by other places, even the U.S. Military, so there's nothing wrong that. Our policy came from the City of Milford.

Mayor Jones: Does the City of Milford still employ that same policy?

Captain Cornwell: Actually, the City of Milford stopped P.T. Testing because an officer was injured and they were afraid of getting sued, so they've discontinued their P.T. Policy. I'm glad that you asked that. I didn't want to say that out, but since you've asked me, they've actually discontinued because of threats or fear of a lawsuit going to happen.

Mayor Jones: Thank you. I can tell you that this contractor also works with the officers and is identified by a physician and there is some limitation. This contractor does work on a case by case basis.

Captain Cornwell: Well how about the policy though. What happens if there is something that is found and then the 60-day limit pops in? Or retesting?

Mayor Jones: I'm sorry, Captain, but you're putting too many hypothetical road blocks in the way. This is about...

Captain Cornwell: The world is hypothetical.

Mayor Jones: Yes, they are.

Captain Cornwell: Especially my job.

Mayor Jones: And we probably wouldn't get anything done, if we based just everything on the world as hypothetical. I don't argue that point with you. But I don't have every answer that you want.

Councilwoman Patterson: I'm just a little confused too. Our officers need to be fit for duty, because we see other industries, like the truck driving industry and how regulated that is. I would think the Police Department would be even more regulated. I know Milford had a pretty strong program up there, because I remember talking to Richard Carmean about it and we need to make sure our officers really are fit for duty, so nothing happens to them.

Captain Cornwell: I understand that, but, other departments, again a lot of departments have physical fitness places that their officers when they're on duty, or off duty, can go work out and actually do things. We have nothing. I argued this the last time. If it's going to be called

a wellness program, let's put some wellness in it. Let's put something where there is some type of physical fitness program or somewhere that the officer's can go.

Councilwoman Patterson: I think that's the continuation with the wellness. Unfortunately we don't have a gym.

Captain Cornwell: Well right now, the way they have it set up is if you vote it in tonight and then if people can't get into physical shape between now and then because there's no place for us to go...

Councilwoman Patterson: But it's on a case by case basis. Wouldn't that officer, if they couldn't perform all the duties, don't they need to be fit for duty in order to perform that task? I know all Police Departments need to have that.

Captain Cornwell: I'm not arguing about fit for duty. What I'm saying is right now, the way it stands, you're going to take someone in eight months, or whatever it is from now until April, you're going to put them through this; if they cannot pass the test, they lose 12 hours of pay and retake it. There's no time... You're not giving them any type of wellness. When we were doing the military equipment program, I had mentioned to... he's retired, a group of people, employees about taking them at the town yard, taking a section, putting some stuff into a trailer and taking a section of that and getting all kinds of military grade work-out equipment, that we could have gotten for free... Harrington Police Department has done that for their officers and they have the room. We don't have the room and I wanted to take and get a bunch of work-out equipment, the military cycles it through, it's good stuff, put it down there and then all of the employees for the town would have access to it to be able to, after work, before work, work-out. Some people got mad about that, some people laughed about it, and nothing ever happened. What I'm saying is, most Police Departments, a lot of them, I'm not sure about Rehoboth because I know when I worked there, a long time ago, there wasn't much room to put a weight and work-out system in. I don't know if they have it. The City of Milford has a work-out area. Harrington Police Department has. The State Police have work-out areas. What I'm saying is what are you going to do to make the wellness part of this, other than we take a test; we take the blood test, all that and then if you don't pass the P.T. Test, you're going to start losing time. Has anybody here lost 12 hours of pay before? Has anybody ever lost 120 hours of pay? I have. What I'm saying is, what can we do to make our wellness program to get some type of physical fitness, where the people have an access to something?

Councilwoman Patterson: But it's part of the job description, so you come in with that. See I'm just confused.

Captain Cornwell: Ma'am, I'm in my 27th year of law enforcement. I'm not just coming into this. I'm sorry. There's a lot of young kids that are. I'm actually supervising people that are younger than my oldest child.

Councilwoman Patterson: Oh sure, at work, you know the same thing happens.

Captain Cornwell: I understand but, the medical field's a little different than what I do.

Councilwoman Patterson: That's why I'm concerned, because the Police Department, there's such rigorous job descriptions that if there's a concern, even as the town...

Captain Cornwell: I understand that.

Councilwoman Patterson: That's what I'm heading for.

Captain Cornwell: My question too is when you have... there's a saying that as you get older, you're paid for what you know, more than what you can do and I don't know if some

people understand that or not. I know Councilman Collier gave me a kind of a goofy look on that. Maybe that's in the state, I don't know, but what I'm saying is, then you're looking at, right now our department... Let's say that if a couple of people had to leave and they were in the upper end of it, who's going to run the department management? It takes a long time to get to where you can actually manage the agency and you start losing people because of this.

Councilwoman Patterson: Well I don't think you would, because we're going down kind of an odd path. I think that the wellness policy..

Captain Cornwell: It's the policy, that's what I'm saying.

Councilwoman Patterson: It's per your doctor. It's based on a case by case basis and I would tell you, if you're making steps towards, like if you're not quite fit for duty, but you're getting towards that, then I'm sure that the physician is not going to say you're going to have to be terminated. If there are underlying concerns, then there would be concerns.

Captain Cornwell: But it doesn't say the physician decides whether you're terminated.

Councilwoman Patterson: No. No. No. As you go through the process, it's a case by case basis, so if there's a situation where somebody might not have... it might not be the 60 days, but 90 days because you're making stops to getting to where I guess you need to be fit for duty.

Captain Cornwell: How about this? With the people that work at our maintenance, is there a physical fitness standard for them?

Councilwoman Patterson: I don't run a Police Department, so I don't know.

Captain Cornwell: I'm talking about the people that work out in the maintenance area.

Seth Thompson: I don't know if they have that program.

Captain Cornwell: The reason why I ask is, because on an every day basis...

Councilwoman Patterson: It's part of the job description.

Captain Cornwell: They probably do more manual work than most Police Officers do today. That's why I'm trying to see if there's a 50 pound or a 100 pound over your head weight, that they can lift? Shouldn't they, if we're worried about liability and they're out there pulling man covers... well they won't pull man covers because we sold the sewer plant.. but they're out there working on something, or cutting grass, pushing it and they keel over from a heart attack, isn't that just as much of a concern for the town, as it would be if a Police Officer was doing something and where are we on a policy for that? I'm not trying to beat anybody up, but...

Mayor Jones: Captain, excuse me, I appreciate all your comments. I've had a request for a call for the vote.

Captain Cornwell: Okay.

Mayor Jones: If there's no other discussion among Council, I will call for the vote to approve policy number 4-20, the Wellness and Physical Standards Program for the Police Department. All those in favor say aye. Opposed. Motion carried.

- c) An ordinance to amend Chapter 158 of the Town Code, Entitled "Property Maintenance" (third reading)

Councilman Collier: I think all the changes that we've requested have been made at this time and I'd like to go ahead and make a motion to pass this Ordinance 158.

Seth Thompson: Councilman, there was one typo that I missed and the word "remove" is

both struck through and underlined, so it should really just be struck through there.

Councilman Collier: I kind of figured that. So I'd still like to continue with my motion to approve this amendment to Chapter 158 entitled "Property Maintenance".

Councilwoman Patterson: I second.

Mayor Jones: Any discussion among Council? All those in favor say aye. Opposed. Motion is carried. Thank you.

- d) An Ordinance to amend Chapter 183 of the Town Code regarding snow removal (second reading)

Mayor Jones: I had just one question, let's see if I can make any sense of this. I see that we struck pavement. In the situation where some driveway aprons actually are in the places of sidewalks and that leader is that still considered sidewalk?

Seth Thompson: Sorry. Could you...

Mayor Jones: Do you know what I'm saying? Sidewalk apron, or driveway aprons that are in that structure of sidewalks, is it still covered as... Okay.

Councilman Collier: Is that what you're talking about?

Seth Thompson: We're talking about the area that's after the sidewalk... It's in between the sidewalk and the road.

Mayor Jones: But we're still talking that a driveway is that portion that includes that piece of sidewalk, which is what you just did, right?

Councilman Collier: If this is your sidewalk, you're talking about this area, right here?

Mayor Jones: That's still included, continuation of sidewalk.

Seth Thompson: I think the way our Building Code has it structured it probably wouldn't be. We seem to, at least based on our grading issues, I'm remembering one community that that was an issue; that isn't Building Code compliant; that they made it all one flowing angle, but if you think about the purpose of clearing your sidewalk, as protecting the public, giving the public the ability to have a clear path, you really wouldn't have to clear that area. I think that area is probably going to be considered part of the driveway, based on our construction requirements.

Councilman Collier: It depends on how you look at it, because if it's made of concrete and most aprons are concrete, there are actually lines struck in it that make it a continuation of the sidewalk.

Seth Thompson: Right. That is...

Mayor Jones: And I saw you removed pavement, so that was my only question, was are we considering that a continuation and I was actually thinking more in terms of sometimes when you're walking on the sidewalk and that apron is actually almost part of that where that drop down happens and I can't come up with a specific location, but where you think you're walking along the sidewalk and you've actually hit that slope of that driveway area.

Councilman Collier: Are you talking about when it starts in a depression?

Seth Thompson: And some of this is based on the fact that certain sidewalks and driveways are just older in town and the Building Codes were different back then, but these days the sidewalk is supposed to be essentially level and then you have that apron that blends the sidewalk...

Councilman Collier: There is a depression that allows it to lower itself for egress. It's an interesting question and to my way of thinking, most of the time when people are home and

they clear the driveway, well in fact, I can tell you that a lot of what prompted this was people would clear their driveways and not clear the sidewalk in front of their homes and this past winter with the amount of snow we had and the frequency of it, it got kind of distressing to me, to watch people walk down Union Street and then go out in the street and walk, because the sidewalks weren't clear. I can only speak from my own experience. I don't have a sidewalk in front of my house, but that didn't stop me from clearing the sidewalks in town, but we won't go into those details.

Seth Thompson: Councilman, I think your comments are correct, in that the focus of this is so that people can walk without having to trample through the snow, that people... seemingly, if everybody is in compliance you are able to walk through the town without having to go through the snow and you wouldn't necessarily have to walk on anyone's driveway during the...

Councilman Collier: One of the worst offenders this past winter was actually the shopping center and a lot of people walked to the shopping center during the snow, because they didn't want to drive in it and they had to get out and walk on the shoulder of Union Street Extended to get to the shopping center, because they didn't clear the sidewalks. This enables us to now say clear it, or face the consequence, because this was previously structured, it was left on the Streets and Sidewalks Committee to make that call and the Streets and Sidewalks Committee does not have the authority to contract or incur a bill on behalf of the Town, which is how the ordinance was previously structured. Like I said, it's a valid question, but in 9 out of 10 cases, the circumstance that she's talking about that driveway actually begins at the back edge of the sidewalk.

Mayor Jones: Now you struck "or pavement" on the first sheet, but not at the back. Now was that meant to be struck?

Seth Thompson: That's correct. That shouldn't be in there. It should match. I apologize.

Mayor Jones: I just wanted to make sure.

Councilman Coté: Before we go there... So the pavement doesn't have to be cleared. Does that refer to the public access roadways which are not part of the town's street system?

John Collier: This has nothing to do with that particular thing. It's two different... It's apples and oranges.

Councilman Collier: It did a little bit, because it said pavement. These are not town streets. They're pavement.

Seth Thompson: But I don't think private streets were ever the subject of this ordinance.

Councilman Coté: Okay, so there's no rush to do those?

Seth Thompson: Well, from the Town's perspective... I certainly understand the...

Councilman Coté: From the Town's perspective, no.

Seth Thompson: The citizens are going to want their streets cleared.

Councilman Collier: This is regarding sidewalks. It doesn't say anything about streets.

Councilman Coté: Okay, well that's the streets either. Excuse me. They're undefined paved areas that the public has access to.

Seth Thompson: So we're not talking about private streets? I just want to make sure I'm on the same page.

Councilman Coté: Addressing something John said.

Councilman Collier: Private streets are just what you said they are; they're private and they're not a concern of the Town of Milton. Just as well, the sidewalks on the private street,

are probably private sidewalks.

Councilman Coté: The private streets I was thinking of don't have sidewalks.

Councilman Collier: Fair enough.

Mayor Jones: Actually, it brings up a point I didn't think about and that is, let's just take for example Cannery Village, right now, that does not have it's streets done. That becomes a dedicated property to the town; what about those sidewalks, as long as those streets have not been dedicated? Are they outside of this ordinance?

Seth Thompson: No, the ordinance that deals with private streets being removed, or being plowed, is a different ordinance and it specifically spells out the private streets.

Mayor Jones: So that's what we call them until they're dedicated, private streets; but sidewalks are covered by this ordinance.

Seth Thompson: That's correct. This ordinance doesn't make that distinction.

Councilman Coté: Even the sidewalks that abut the private streets, as opposed to private lanes.

Mayor Jones: That's why we're asking.

Seth Thompson: That's right. That is the way the Code is set up. That's right.

Mayor Jones: Okay.

Councilman Collier: So do we need to read this again, or can we move forward?

Seth Thompson: You could move to approve it with the amendment being removing the poured pavement on the top of the second page.

Councilman Collier: So moved. Thanks for that motion, Sir.

Councilman Coté: Second.

Mayor Jones: Any other discussion? All those in favor say aye. Opposed. Motion is carried.

- e) An ordinance to amend Chapter 152 of the Town Code, Entitled "Nuisances" (second reading)

Seth Thompson: And hopefully everybody got a copy. I just made a couple of quick items. We had to strike the word "Canadian", when we inserted the word "Canada". We had some discussion that people might recall in terms of the noxious weed list. I was able to locate what Delaware has... or the Department of Agriculture for the State has designated as noxious weeds. There are only six of them. There's Johnson Grass... I won't attempt to read the Latin terms; Canada Thistle, Bird Cucumber, Giant Ragweed, Texas Panicum and Palmer Amaranth.

Councilman Collier: Yeah, that's close.

Seth Thompson: So those are the current six, but as you can see this just incorporates the list, so that if the Department of Agriculture adds a seventh, it's automatically going to be included in your ordinance. The ordinance also takes it from ten inches, down to six inches. We had some discussion, I'm looking at Section F of 152-2. We talked about adding public right-of-way and then an unimproved lot that is not an active construction site, or integral to an approved use, so the thought there being if you're a material storage yard and you're approved, then obviously you're going to have some accumulation of earth, stone or rock, so you're not in violation of the ordinance then. Everything else I think we're just making sure it's the appropriate person, the Code Enforcement Officer or designee.

Councilman Coté: I did have another question on this, on F; whatever accumulation of all these things, on any sidewalk, parking strip, street, boardwalk or public right-of-way. Near

where I live there's a parking lot where they store lots of... I don't want to say debris...

Councilman Collier: Large stainless steel objects.

Councilman Coté: I don't want to state debris, but it's things they no longer use in their building and it's visible from the street.

Seth Thompson: Part of the problem with that is going to be if it's occupying parking spaces, it's potentially then in violation in terms of not having enough parking at that point.

Councilman Coté: I think the parking lot is bigger than it needs to be, because it covered the contaminated ground.

Seth Thompson: I see. This ordinance would still apply to that. Going back to the site plan process, there are reasons that your Planning and Zoning Commission might ask for additional parking, above and beyond what the minimum might be, and I don't know if the town wants somebody to kind of unilaterally be able to reduce that, after the fact, by putting a bunch of objects on their parking lot.

Councilman Collier: Yeah, Councilman, as I read this it says, or other debris and if you can classify it as debris and it says parking strip...

Councilman Coté: But it's not on the sidewalk; it's not on a parking strip, per se. I don't know what a parking strip is; maybe a parking strip is the same as a parking lot.

Councilman Collier: Well, in a parking lot the strip would generally be that row of spaces that been lined and if it is occupying a lined row of spaces, then I'd say it's in violation.

Seth Thompson: I'm double-checking to see if that's a defined term. Obviously that's currently in the Code, the parking strip. We have parking space, parking structure, parking lot private, parking lot public, parking lot commercial. So without a codified definition, it's just going to be given its plain meaning. Certainly, we could amend that say parking space, if the intent is to cover debris that's left on parking spaces, as opposed to parking strip, meaning the space in between rows of parking spaces; then this would be a good opportunity to clarify that.

Councilman Coté: We should clarify this. I would like to clarify that.

Seth Thompson: So change parking strip to parking space?

Councilman Coté: I think space.

Councilman Collier: Space, area.

Councilman Coté: Space(s), because it takes up many.

Mayor Jones: In lieu of parking strip?

Seth Thompson: Right, so the word strip would become space. And when it says any parking space, that means if they're doing it in one, it's a violation. So if you included parking spaces, then arguably they get the first one free.

Councilman Collier: So do we need to read this again, or can we go ahead and move to approve with the amended change?

Seth Thompson: You can move to approve as long as you guys are comfortable. I wouldn't consider that there's not some bait and switch, with the amendment being parking strip to parking space, I don't think.

Councilman Collier: Alright, so...

Mayor Jones: My question is you've added tires to G and does the town not hold its very own ordinance about tire accumulation?

Seth Thompson: It does. There's a very specific ordinance for tires.

Mayor Jones: So and it says litter or rubbish capable of harboring obnoxious insects of any

kind. So do tires belong? That's my only question. Do tires belong there? Do they carry their own ordinance and do you have to have a mass of them in order for that ordinance to kick in, because otherwise I'd say leave it here; if it's a tire or two? Do you know what I mean?

Seth Thompson: I do and the way that reads, weeds, debris, tires...

Councilman Collier: I think the other place in the ordinance about tires, specifically, has to do with the storage of them.

Seth Thompson: And selling them, I believe. That's more focused, as opposed to this being a dilapidated area or unkempt.

Councilman Collier: So the guy that's got 3 or 4 tossed in the weeds out behind the house, is in violation of this. The only time I've ever seen the other thing that you're speaking of, come into play, was when the gentleman that had the Jones' place on the corner, at one time, had stacks upon stacks of tires out there and that wasn't permitted under that particular facet of the that ordinance.

Mayor Jones: Now, you also in the end of G, where the concentration of houses exceeds five houses on any one side of a block. There are two living structures and a factory on the other side of the street from me. They will never bridge that capacity, so are we limiting that this is not a problem, unless people live near it and five people have to live near it on one block?

Councilman Collier: No. Because if you read the first portion of the sentence, where the density of population is normally considered as built up area, or where... so if you add a block, let's say, where there were 10 lots and only on that side of the block. I mean I think it's an and/or type proposition is the way that I interpret this.

Seth Thompson: It is an or, that's right, so you don't have to meet both criteria; it doesn't have to be built up and have a concentration of at least five houses on one side.

Councilman Collier: So what you're talking about across the street from you actually is covered by this ordinance.

Mayor Jones: So you have a blank lot and nobody's around you, you can have these things sit there?

Councilman Collier: Not necessarily, it depends on...

Mayor Jones: _____ says built up area or concentration of houses.

Councilman Collier: So, now you're getting into an interpretation and it's kind of like...

Mayor Jones: When does this growth and debris and trash become a nuisance; that's what I'm getting at. Does it only become a nuisance when we have a concentration of people? Or is it a nuisance and it harbors mosquitoes and venom-carrying rodents or skunks, even if you are not in a heavily populated area? That's my only argument on this one. Let's be careful. It can be an obnoxious situation, even if you do not have a built up area. Look at, for example, the area, I can't think of another example, the area there at Cannery Village that's not yet built, back by the old _____ chicken...

Councilman Coté: Between Fulham and Patriot.

Mayor Jones: Which is not heavily populated yet, but would not make a discarding of this stuff, any less obnoxious.

Councilman Coté: That's true and then it's been done and been cleaned up.

Mayor Jones: And been cleaned up. Right. So, that's my only point on that and you'll let it ride if nobody else sees that.

Councilman Coté: I think it would be a good point to clarify, on how that... the existence of it within the town limits, the existence of this stuff in town limits is an issue. Regardless of

whether it's close to a built up area, or five houses in a block.

Mayor Jones: Regardless.

Seth Thompson: I think the language was probably designed to avoid a scenario where somebody just has an area that hasn't been developed at all, you know, if they have mosquitoes there, or flies there, seemingly it's not bothering anybody; but I mean we could add in something to the effect of maybe adding in an approved sub-division; somewhere where you're expecting residence's to go, but maybe you haven't yet reached the point where you have the five houses on any one side.

Mayor Jones: You have a beautiful Large Parcel Development on Sam Lucas Road called Key Ventures. If somebody chose to go dump a bunch of this, out there, it's unoccupied. Is it any less detrimental to the public, being removed from... let's consider the folks in front of them who are not annexed in; would it be any less detrimental to them, because it's on an annexed piece of land, but nobody else is living on it? Can it just stop at any common growth, weeds, underbrush, trash debris...

Councilman Collier: So you would strike from whatever density of population, forward?

Mayor Jones: Right. I can't see the need for any property to have somebody dumping trash and tires and debris on it, and be left that way; just because the density wasn't met.

Councilman Coté: Inside of town.

Mayor Jones: Would you consider that?

Seth Thompson: That makes it clear.

Mayor Jones: You can't dump your trash.

Seth Thompson: Right.

Councilman Collier: Well, the only other thing I would state, based on that particular section is, you have rodents and you have skunks, but you didn't cover marsupials; which possums are marsupials and they carry the same critters on them, that skunks or rodents do; not that I think there's a save the opossum group out there; but if we're going to cover everything, let's cover it all.

Councilman Coté: It's called P.E.T.A.

Seth Thompson: And we certainly can use a listing method and then have a catchall at the end, that says "or similar animals". We can do that, if that...

Councilman Collier: That's fine.

Seth Thompson: So it would be vermin-carrying rodents, marsupials... or do you want to name...

Councilman Collier: But you have to be careful with that, because then you might be trampling on the toes of the feral cat folks...

Seth Thompson: Or the kangaroos.

Councilman Coté: That's right.

Mayor Jones: I withdraw my comment. We'll leave it as it is.

Councilman Coté: I want the kangaroos.

Mayor Jones: You all are making fun, but the point is that you should not be dropping your trash anywhere in the annexed properties of Milton.

Councilman Coté: You're absolutely correct.

Mayor Jones: Period. Vermin-carrying animals.

Seth Thompson: That works.

Councilman Collier: I'm okay with that. I just wanted to make a point.

Seth Thompson: We are broadening the potential scope of this, so it probably would be best...

Councilman Collier: It would be best to bring it back for another reading.

Seth Thompson: That's right.

Councilman Collier: Move to table for another reading.

Councilman Coté: Second.

Mayor Jones: All those in favor say aye. Opposed. Motion is carried.

f) Police Department Surveillance Camera Policy

Mayor Jones: I want to ask this question, if I may. Is anybody here, specifically, to speak about the Police Department Surveillance Camera Policy this evening, or have any comments on that? It's a very large piece. One person who had a comment is not even here this evening and I would love to have seen the follow-up by that person who brought these certain things to our attention. I wonder if this is something that we could table for an evening when we haven't had so much on the table already?

Councilman Collier: Move to table.

Councilwoman Patterson: Second.

Mayor Jones: Any other discussion?

Councilwoman Patterson: Yes. I see the security systems in protective services.

Mayor Jones: That's different.

Councilwoman Patterson: Oh, okay. Sorry. I wasn't sure if that was... Do we currently have a Police Department Surveillance Camera Policy?

Mayor Jones: We do.

Councilwoman Patterson: That's it, but with all that stuff attached?

Mayor Jones: Well, all this stuff came attached when it was originally sent out, so I do not have a clean copy. Do you have a clean copy, Mrs. Rogers, of this package that came to us? You do not.

Councilwoman Patterson: I have a copy of it. It's not that. No, I've read through that. My confusion was in the last meeting and I think that the addition of that packet, that I thought was already worked into the Milton, either police force, or... I'm sorry, I'm not making myself clear.

Mayor Jones: All this?

Councilwoman Patterson: Yes, the packet from the Civil Liberties group was confusing, because I thought that was all incorporated, so the policy is just the first two pages?

Mayor Jones: That's all there is.

Councilwoman Patterson: Okay.

Mayor Jones: I think there are four pages total; so we'll concentrate on that. I think the literature that was provided, at least from my point-of-view, just gave an overview of well this was presented by Preserving Civil Liberties, as Mr. Thompson said he expected that to have a slant. There's also the C.O.P.S., as in the COPS grant? Okay. But no, that is not a part of the policy. But do bring this package back. We'll get this back on the agenda.

10. New Business – Discussion and possible vote on the following items:

- a) Request for commercial well to be installed at the Finish Line Car Wash – 204 Broadkill Road

Mayor Jones: You have in front of you, from the Town of Milton Water Committee, a recommendation. Mr. Wingo, did Mr. Parker request to be heard by Council, when this came up for a vote?

Greg Wingo: I had contacted Mr. Parker and discussed with him that the Council was going to bring it up tonight. He has plans to... yes, he was aware and I told him that I would contact him tomorrow.

Mayor Jones: Okay, thank you. From the written data that was supplied, did anyone want to have any further clarification on the Committee's recommendation for Mr. Wingo? One thing I would point out is that when Mr. Parker made a reapplication, just so you're not confused; he did make one application which was denied. He made the second application at the time when the Ordinance still remains the same. Is that correct, Mr. Thompson; that's what we discussed?

Seth Thompson: Yes.

Mayor Jones: And under the merit of that ordinance is how this request was viewed.

Councilwoman Patterson: Okay.

Mayor Jones: And Mr. Parker did meet with the Water Committee. Is that correct?

Greg Wingo: That's correct.

Mayor Jones: Councilman Collier, would you like to read the Water Committee's recommendation?

Councilman Collier: I can, if you want. Okay, Dear Mayor Jones and Town Council Members. The Water Committee met with Mr. James Parker, owner of the Finish Line Car Wash on June 26, 2014 to address his letter of 21 May 2014, requesting town allow him to install a new private 4" well at the Finish Line Car Wash. His letter is included as Attachment "1", which is attached to the package you have. This and the Water Committee are also included Attachment "2". After due consideration, the Water Committee recommends that the request for a private well at the Finish Line Car Wash be denied. Our recommendation is based principally on the Town Code, Section 215-28, which states that there shall be no private wells or other water systems installed or maintained in the Town, other than the town-owned and maintained public water supply, without prior written consent of the town. The Town Code, however, does not provide any guidance on the conditions under which town would consider granting approval for a private well. The Water Committee does not wish to take it upon themselves to establish a precedent for other individuals, or businesses, to request private wells, without further guidance from the Mayor and Council and the Town Solicitor. It would also be beneficial to understand the conditions under which neighboring communities allow private wells. The Water Committee, however, is very empathetic to Mr. Parker's request. We understand his business relies 100% on town water to stay viable. We therefore, recommend that the water supplied to Finish Line Car Wash not be singled out for contaminate under a water emergency declared in accordance with Town Code Section 215-30, to any greater extent than any other water users. Finish Line Car Wash is currently charged wastewater fees on the basis of the meter readings on the supply side. To ensure that the Town is properly executing it's agreements under the contract with Tidewater. Mr. Parker was requested to obtain and present a letter from Tidewater agreeing to his installing of an acceptable meter on his discharge line. To date, we do not have that letter, or request. In this regard, we recommend that the Town support his efforts to reach a reasonable accommodation with

Tidewater regarding the installation of such a meter. Should the Town decide to allow Finish Line Car Wash to install a well, despite our recommendation, the Water Committee recommends as part of the initial start-up of the new well system that the current supply meter be removed and placed in the custody of Public Works Department. Blanking flanges should be placed on both sides of the pipe, where the meter is located, while the well is used to supply water to Finish Line Car Wash. When Finish Line Car Wash wishes to use town water, you should contact the Department of Public Works at any hour of the day or night to reinstall the meter, to eliminate the possibility of Finish Line Car Wash's untreated water migrating into the town's water system. Respectfully submitted, J. C. Garde, myself, Greg Wingo, Members of the Water Committee.” So I guess the gist of this thing is that our recommendation is to deny the well, however, if Council sees to do differently, that they follow the steps as conditions of the approval of a private well.

Mayor Jones: Does anyone have any questions for the two members of the Water Committee that are here?

Councilman Coté: I have two and one is more mechanical. Is there no other way to separate the well, if he were allowed to put in a well; is there no other way to separate the water supply than pulling his... That would take away his drinking water and his restroom facility water, unless he connected his well to those things; but he can't connect it to the drinking water. I don't know his facility that well. He must have some drinking water in his building, in his facility somewhere and if removing the meter is the only solution to that, so we don't get the untreated water back-flowing into our system.

Greg Wingo: Removing the meter was the absolute best way of doing that. Mr. Parker wants to go on a well. I believe everything that he has in the car wash, itself, is just for the car wash. As I'm aware right now, he doesn't have like a faucet for drinking water and it's just for the car wash, to support his sprayers. You could get some different back-flow devices, so you wouldn't have to pull that meter...

Councilman Coté: And they could be at his expense?

Greg Wingo: Absolutely. To be 100%, it was best to just go ahead and remove that meter, if he was given the okay to go ahead and put in the well.

Councilman Coté: Second question, or point. In his letter and I'm aware that another business in town didn't have to do much of anything to get their second and/or third well; and uses a far greater amount of water than the car wash and we had to approve that. We didn't have to, but we did. I don't know if the Water Committee recommended it or not, but it got approved, so I'm not sure how we tell him no, when we told the other people yes; and the other people weren't a paying customer. I understand that, but I don't know that that should be the criteria that we use. So it's a little disconcerting to me that we can say yes on one end of town and no on this end.

Mayor Jones: May I take a shot at that? Councilman Coté in the most elementary comment I can make, is you learn from mistakes. As far as I know, the Dogfish Head well and I'll make the statement of who it is, never was sent to the Water Committee for a recommendation. So yes, I can say they were granted the well, but for me, unless there is some legal precedent here, that we're looking at, I see no reason to repeat a mistake.

Councilman Collier: The other thing that I would like to point out that was different in that circumstance, is that the Dogfish Head well does not have any bearing on the numbers that we send to Tidewater, who we're contractually obligated to provide that information to,

because they are not on the wastewater treatment system and Mr. Parker is.

Councilman Coté: In Mr. Parker's letter he does say and I'm hoping his letter is a little bit of a misstatement, that if he gets his well, he'll talk to Tidewater about putting a meter on his outflow. He should put a meter on his outflow, regardless of whether he gets the well, in my opinion.

Councilman Collier: I think you'll find in the letter from the Water Committee that it's been recommended that the Town do whatever they can to support his...

Councilman Coté: That would eliminate that issue.

Councilman Collier: Right.

Mayor Jones: I think also Councilman Coté, when this first came to Council and it was turned down, the justification was given, correct me if I'm mistaken, the Dogfish well had to do with consumption by consumer, or consumption, as opposed to washing vehicles.

Councilman Collier: It was part of a food processing.

Mayor Jones: Right. I believe that was mentioned when this was first turned down, just for history.

Councilman Coté: It's still untreated water, either way; whether I'm going to drink it, which I don't do at the car wash and I don't tend to from the other guys either.

Councilman Collier: It has to meet some sort of a standard for them to use it in food processing; it may not be treated. Most private wells don't have any treatment unless it's a water softener system; they still have to go through just some testing and stuff with the Board of Health, if I'm not mistaken, before they're allowed to be used for human consumption. Well, somebody else will have to pull the trigger on this one. I sat on the Committee. I'm not going to make the motion.

Councilman Coté: Motion to get the process going, motion to vote on the Water Committee recommendation regarding the Finish Line Car Wash well.

Councilman Collier: There's a recommendation to deny, but there's also if you choose to approve, we would ask that these conditions be attached to the approval.

Councilman Coté: Ah. I guess I only got...

Councilman Collier: So you've got to pick one.

Councilman Coté: I guess I would motion to approve, with the conditions.

Councilwoman Patterson: I'll second for discussion. So the Water Committee recommendation that's before me and again, this is not my area of expertise; it recommends that we not allow a private well and because we sort of set this precedent for private wells in the town... I'm sorry, for allowing private wells if we move forward with this. Also, I've been told by someone from the Water Committee, that the water under the town is the Town of Milton's, regardless. This is a tough decision for me. But then it says it would be beneficial to understand the conditions under which neighboring communities allow private wells. See I don't have any background on that, so I have to tell you I'm... that is a concern. Is there any information that I can glean from different towns?

Councilman Collier: Alright, I don't know about from other towns, but let's clarify one thing.

Councilwoman Patterson: Okay, thank you.

Councilman Collier: The Town of Milton only has the Certificate of Public Assistance??? to provide water within a certain geographic area and they may tap the aquifers underneath of it, but they do not own the water within the aquifers; they're only granted the right to use

them.

Councilwoman Patterson: Thank you for that clarification.

Councilman Coté: Because we have a limitation on what we're supposed to draw.

Councilman Collier: Because we have a limitation on what we draw, but that's the first thing, so we don't own that water, because there's probably... I would be willing to say that there's probably, well I think the aquifer that we're using extends all the way to the Appalachian Mountain chain, so there are communities over several states that are tapping the same aquifer, so we don't own the water.

Councilwoman Patterson: I'm sorry. I meant... well okay...

Councilman Collier: So that statement has been made and it's been made on the record and it has been printed in the press and it's not necessarily true.

Councilwoman Patterson: Gotcha. Okay, thank you.

Councilman Collier: My only comment to you would be that this could be approved, either way, and the thing that concerns me is it creates what could possibly be a domino effect; because what prevents now every commercial entity in the shopping center coming forward and saying, well I think we want a well of our own and we'll deal with Tidewater about a meter. That's my only concern. We don't have any guidance on record as to what the conditions are for a private well and we can't establish those guidelines and ignore Mr. Parker's application. We only have what we have on the records, at this time, to act on it. Now, there's nothing that says that we can't develop guidelines and he can come back and reapply, once they're developed, but we can't develop them and hold his application in abeyance. That I do know.

Councilwoman Patterson: So we have to make a decision.

Councilman Collier: One way or the other and that would be my only comments about this; things for us to consider.

Mayor Jones: I have to piggy back on that to say, this will be just one of what I would perceive as possibly, many coming forward and all we have right now, as Councilman Collier states, there shall be no private wells or other water systems installed or maintained in the town, other than the town-owned maintenance, without prior, written consent of the town. That's all we have.

Councilman Coté: I guess it would be the Water Committee working on anything regarding those... defining this?

Mayor Jones: No.

Councilman Collier: We haven't been charged with that yet, but if it's sent to them by the Council, then it's just another thing on our plate.

Mayor Jones: It says, they do not wish to take it upon themselves to establish precedence for other individuals or businesses to request private wells, without further guidance from the Mayor and Council and the Solicitor.

Councilman Collier: And I think that has to do with the fact that that's part of the reason why we were recommending that you deny it, because we don't want to establish that precedent at this time, or continue that precedent at this time without coming up with a little bit more substance, because you're opening the door for every commercial entity that comes forward and after that you get everybody that wants what they're going to term as an irrigation well in their yard.

Councilwoman Patterson: I don't think the town's able to handle that, at this particular time.

Councilman Collier: Well the irrigation wells may not tap the same aquifer, but are we going to hire an employee that goes around and inspects these wells, to make sure that they didn't go tapping into the wrong aquifer, or anything else, because it could come to that?

Councilwoman Patterson: It could. Yes. It seems like this is just...

Councilman Collier: I think the basis of the thing is we have to act on this thing, one way or the other, but we also have to consider, as a result of this action, no matter which way we go, that we have to redefine the standard for granting private wells.

Councilwoman Patterson: I agree and I'll have to rescind my second.

Mayor Jones: So right now, what we still have on the table, is a motion to approve, with conditions. The second has been rescinded. The motion fails. Does this give us an opportunity for a second motion?

Councilman Collier: Or can we move to table this for more consideration, because...

Mayor Jones: What's the purpose? I have to ask straight up, what's the purpose of more consideration? Where are you going to get it? Where are you going to turn? What information are you hoping to get.

Councilman Coté: Can we make a motion to send this process of defining the conditions?

Councilman Collier: You can't hold this in abeyance...

Seth Thompson: That would be a separate...

Councilman Collier: until we come up with conditions, because it could be easily construed that we invented conditions to...

Councilman Coté: Approve or deny.

Councilman Collier: To approve or deny. That's the whole problem with that.

Councilman Coté: Yes, I understand that. I'm not comfortable doing it. We can't let it lay.

Councilwoman Patterson: Then I'll do it. I make a motion that we go with the Water Committee recommendation that the private well at Finish Line Car Wash be denied. I guess I can't do that. Sorry. What do I need to do?

Councilman Coté: That's awkward.

Mayor Jones: You can do that. It's fine. Just let's wait.

Councilman Collier: I'm not comfortable, but I'll send it. Do we need to discuss it anymore?

Councilwoman Patterson: No.

Seth Thompson: It might be helpful, if you can make clear why you're voting, whichever way you vote, on the motion. I know we've had a discussion in terms of potential reasons for going one way or the other, so we had a discussion in terms of some factors here, that aren't present, that were present with Dogfish Head. It was obviously the reference to the letter from Tidewater, that hasn't been received at this point. So it would be helpful, if somebody were reading the record, that they would understand why you voted the way you voted.

Councilwoman Patterson: Hold on one second. Give me a couple of examples of...

Seth Thompson: Well say for instance, one of the issues again, I think there was a request that a letter be presented from Tidewater; it sounds like that hasn't been received from the town, at this point.

Councilwoman Patterson: Okay.

Seth Thompson: Essentially it is that he hasn't shown good cause, as to why he would be allowed to have a private well, when others wouldn't. Obviously the conditions seem to focus on a concern over what happens with the water, in terms of migrating back into the

system.

Mayor Jones: So it's time to call a roll call vote, unless no one else has a further discussion?

Councilman Collier: Actually, wait a minute. Mr. Thompson, I listened to your discussion and I figured out how to put this back on the table, because Mr. Parker has not held up what was required of him, at this time.

Seth Thompson: It was fairly clear, last time, that the town...

Councilman Collier: To ensure that the town is properly executing its obligations with Tidewater. Mr. Parker was requested to obtain and present a letter from Tidewater, agreeing to installing an acceptable meter on his discharge line. He has not provided this, at this time, so I'm rescinding my second and I'm going to make a motion to table this, based on the fact that Mr. Parker has not presented this letter that's stated in here and I think he was informed of that, if I'm correct. Can you confirm that for me, Mr. Wingo?

Greg Wingo: You're correct.

Councilman Collier: Alright, so that's really what I think is the proper thing to do at this time, because he hasn't provided that and let's give him the opportunity to show us that he's going to do that, before we go in either direction.

Councilwoman Patterson: I'll second.

Mayor Jones: All in favor for tabling this decision say aye. Opposed. Motion carried.

Councilman Collier: Thank you Mr. Thompson, for opening my eyes.

- b) Appointment to Planning and Zoning Commission
Dropped per previous request

- c) Award of the 2014 Residential Waste Collection contract

Councilman Coté: Motion to adjourn for five minutes.

Councilman Collier: Second.

Councilman Coté: All in favor...

Mayor Jones: Can we get a motion to reconvene?

Councilman Collier: So moved.

Councilman Coté: Second.

Mayor Jones: All in favor say aye. We have in front of us the award of the 2014 Residential Waste Collection Contract. Mrs. Rogers.

Kristy Rogers: Mayor and Council, on July 9, 2014 at a Town of Milton Residential Waste Contract Invitation to Bid was posted online and sent to several newspapers. The Invitation to Bid specified perspective bidders to request the RFQ via email and five RFQ's were sent out. At the time they were opened on July 28th, we had received four bids back. Based on the Town Charter, Section 14-b, I am recommending that the contract be awarded to Republic Services. They are our current waste contract provider and in my opinion, continuing our waste collection with Republic, will not cause disruption and be a good business practice for the town.

Mayor Jones: What I was going to say to Mrs. Rogers was, you did an outstanding job and I found that your cover letter was extremely helpful. I have only one question. Your recommendation came as a three-year as the lowest bidder and yet, when I looked through these and projected into the five years, I could pretty much see your point. Is it an option to award Republic a five-year contract, if the Council so chose?

Kristy Rogers: Our Charter states that the lowest responsible bidder, so there is a three-year contract or a five-year contract in the bid. Five year the lowest responsible bidder would not be by Republic Services.

Mayor Jones: I personally think we get very good service from this company.

Kristy Rogers: I agree.

Mayor Jones: I do.

Councilman Coté: Who are we with again?

Mayor Jones: Republic Services. Very pleased.

Councilman Coté: Republic Services. Ah, here it is.

Mayor Jones: Was there... this is just a question, because I'm not as familiar with the bidding process as you are. Do you feel that these company's may have given even a better cost, if it went to the five-year, as opposed to the three-year?

Kristy Rogers: Some of them remain the same for the first three years.

Mayor Jones: Okay, yes, I saw that.

Councilman Coté: In looking at it and what was it Peninsula Oil?

Mayor Jones: Yes.

Councilman Coté: Had a very low, or was it a lower five-year? For some reason, I don't always think of a company named Peninsula Oil as being in the trash business. But their five-year program was...

Kristy Rogers: What I read, as well, is these prices through Delaware Solid Waste Authority are guaranteed for two more years. So I don't know if signing a five-year contract would be beneficial, should rates at Delaware Solid Waste Authority change per ton.

Mayor Jones: Good point.

Councilman Collier: Yes and thank you for bringing that up.

Councilman Coté: Okay.

Councilman Collier: I'll go ahead and move to award this to Republic Services of Delmar for a three-year term.

Councilwoman Patterson: A three-year term, I'll second that.

Mayor Jones: Any further discussion? All those in favor say aye. Opposed. Motion is carried.

- d) An ordinance to amend Chapter 167 of the Town Code, Entitled "Security Systems and Protective Services"

Kristy Rogers: What I provided is just a copy of the current Code, as amended in 2012. From prior discussions I wasn't sure what amendments Council wanted to discuss at this time.

Mayor Jones: Do we have a registration, such as this required of the... We do not. So that some of the company's that the police are responding to for alarms, have not even met the standards of what they need to do, as far as registration required, with the town? They have not, so they are not in compliance and we still go to the alarms.

Kristy Rogers: We don't have our registration. This seems to be a State of Delaware problem.

Captain Cornwell: Madame Mayor, this law is actually verbatim to the State of Delaware law. I don't know of any other towns that have the registration part. The State of Delaware mandates that new alarms be registered. Right after the last meeting I contacted Milford

Police Department. I didn't hear from them, so I called up there last week, or the week after I emailed them. They were doing a policy for about 10 years. They were having problems... or their current Town Solicitor didn't feel that it met standards for constitutionality, so they've changed their policy. It's similar to this. They have yet to do anything as far as a violator. From there I went and contacted... I did a search to see what the State of Delaware does. I found that they use what is called CryWolf. It's a program and a business that's based out of Maryland. CryWolf is contracted with the Delaware State Police. They're also contracted with the City of Wilmington Police Department and New Castle County. I talked to Lt. Hamm from the Delaware State Police SBI, who runs the program, as far as over watch and this is something that the town could look at what they want to do. Being that it's mandated, everybody that gets a new alarm in, not the alarm company, but the person that gets the alarm has to, by state law, register and it's registered with CryWolf. That's the site that they would register with. The State of Delaware right now has an agreement with CryWolf where CryWolf gets 90% of the fees, funds from the many penalties, the State of Delaware gets 10% because it's looked at that it's a way to stop unnecessary alarms for response in the reduced manpower; it's not looked at as a revenue... they don't want it to be a revenue making thing. They want the misuse of officer time and resources to stop, so that's what they do. I've had contact today, I wasn't... today is my day off, but I had an email and a voicemail left for me from Lt. Hamm. I read the email. He put me in contact with some people at CryWolf. If we do not want to use their services, they've contacted me. I need to recontact them to find out what type of an agreement they do. If we use their services, to see where the money goes and who gets what. The other option is they sell a program that we can use the software, for this tracking; however, being a small agency, the problem is that it's using our resources to go out and one of his things was our resources being used to go out to handle alarms, we're going to use a lot more resources trying to track all this stuff, as far as who's registered, who is not registered and then, since it's a State law, that they register; can we get that information from CryWolf and there's a lot more background that has to be checked out on this. So it's up to the town whether you want me to try to find out what type of contract we can get with CryWolf; is it a revenue generating thing, that we're looking at, or is it the thing to stop the response; or have people get their alarms systems fixed, so that we don't keep going? What CryWolf does is DelJIS everyday sends a sheet up to CryWolf. It has everybody's alarms throughout the State of Delaware on it. CryWolf looks at the agency identifier, ours is 75, the troops are 1 through 9, so it picks out troops 1 through 9; Wilmington's identifier and New Castle County's identifier. It looks at the alarms, it goes through it's program, determines who is registered, who's not, it sends out the people that are not registered notification that they are in violation. Lt. Hamm said that 90% of people that are in violation of not registering, he gives them a break, or doesn't assess them the penalty and just requires them to get registered. They look at it, the first alarm they send a letter out, the second one they send a letter out, the third one they send a letter out, the fourth one when the fine's start, that's when they start to go out or send the letters out for the financial part.

Mayor Jones: Well I'm not familiar with CryWolf or it's mandate, but my purpose in reviewing this, is because we are tired of... We. I am tired of seeing the list of alarms that our Police Department is responding to and to me, these false alarms, or habitual alarms, as I call them; is sucking them manpower and the resources from the Milton Police

Department. I'm not looking to levy fines for revenue purposes. I'm looking to levy fines so they get their stuff corrected.

Captain Cornwell: Again, they have the 90/10. I could find out what CryWolf, since it is a State contractor and what residents in the entire state have to register with. I can find out what type of contract we can get that's similar, or the best contract with them, that we can join on with the State of Delaware.

Mayor Jones: Why are you advocating we bring in a contractor to fix what we already have on the books? I'm not quite understanding. We have a list of alarms every month. I know we have a provision here under 167-7 for more than three false alarms; but are habitually repeated alarms not considered false? You keep going to the same locations and how does this middleman agency, who's going to take 90% of the fines, going to fix the problem for us, that we can't do?

Captain Cornwell: Again, if our concern is manpower going out to the alarms and being used for that and we want to conserve our manpower for doing other things, tracking the alarms... our law doesn't just include if you have more than three alarms, than I'm not sure if you've read the entire thing... it's pretty intense. It also mandates that each alarm that's in the town be registered, so we have to track whether they're registered or not. Then we have to send letters out. I've contacted DelJIS, then what type of letter do we send? It says that we send a summons. Do we send a criminal summons?

Mayor Jones: It says civil here.

Captain Cornwell: Yes, it says civil, but you can do civil on criminal summons' now; so do we go out and do send them a letter and if they don't pay it, do we go out and issue them a criminal summons? There's a lot of things that this law looks good up front; but if we contract out to the company, then they're already servicing and meet the criteria for the State law, which is what the Town of Milton adopted; because now everybody's got to... now we have to set up some type of way that people can register their alarm with the Town of Milton and then we have to send some type of thing out, or have some type of information letting each alarm company know and an individual that has an alarm, that they have to register with the Town of Milton. So we're going to have to use resources to actually build a database that has who's registered, who's not registered. We have to set in place a way to register people and we have to have something that will stand up in court, if someone contests it, that we have the so-called amount of alarms. That's going to take a lot of resources, whereas if we take this at the State and several other municipalities and agencies have, then we don't have to do anything except for get a check for whatever is violated each month.

Mayor Jones: Captain, except for the fact that the Mayor and Council has recognized the increased number of alarms, on those police reports since the police reports have been submitted, nothing has been done. The police have obviously continued to go to these alarms and this policy has never been put in place, or never actually been utilized, which is registering your alarm with the town.

Captain Cornwell: Madame Mayor, the Council voted on putting this in the policy...

Mayor Jones: I understand that.

Captain Cornwell: But they never put any steps in to actually putting it into place to be utilized.

Mayor Jones: So what you're saying is that we have something on the books here that has

what... no way to enforce? Or no way to implement?

Captain Cornwell: It was put in, you brought a law, but there is no system whatsoever that was discussed with the Police Department or the Town came up with to implement this system. Until recently, a criminal summons you could not use a civil violation on a criminal summons. That's why I had said that I would contact the Milford Police Department to see what they do. That we can purchase the software from this company, that's designed specifically for this and then we don't have to come up with some type of system that would be able to track it and have credibility in court, if someone does want to fight it. Right now the law was enacted but there was no system put in place on how it was going to be handled and done. There's more to this than just four or more alarms you're getting fined. There's actually... you're mandating that company's in the State of Delaware, with this law, the Town of Milton is mandating that alarm company's have an actual, physical office in the State of Delaware, according to this law. I don't know if the Town of Milton can actually make that recommendation for an alarm company to have offices in the State of Delaware, before that alarm can be used in Milton; now the State of Delaware can. So there's a lot to this law, more so than just anything more than three alarms, we're going to assess a penalty against you.

Seth Thompson: Just on the last point, the Captain is right in that the Town Code mirrors the State Code, so in terms of registration, they have to register with the State and the State is requiring them to have an office in the State, so the Town Ordinance doesn't say you have to have an office in Milton, it just says the State of Delaware, which means they would need to meet that requirement for the State, anyway.

Councilman Collier: Well, it sounds to me like what the Captain has described to us, is an outfit that essentially is a monitoring clearing house for security systems and they kind of take care of all of the stuff that's required to get to the State, to where you can monitor, track and do the assessments of this. Now, I see his point about, if we charge an officer within our town with doing this, where initially it could be quite cumbersome, but once the system, whatever system that was developed by the town, was put into place, it should go rather smoothly and rather effectively. What I think we need to weigh out is is it worth doing that, or is it just... Essentially, the outfit that he's talking about will do this and if I gather from what he says, and I'd have to see their documentation to believe it...

Captain Cornwell: I can get some brochures for you... actually they emailed some brochures to me.

Councilman Collier: And I understand that and I guess the point I'm trying to make is that they're going to do this for just a little bit less than what you realize through fining people, so what we've got to look at is what's more advantageous to the town; putting an officer into developing this program and then having to monitor and track it, because people install alarm systems everyday and then there's a thing that once you get a false one, you've got to go to a master list and say oops, he's over the line; this outfit even generates the notification to the agency and you've got to issue a ticket; these guys are over the line; so it takes all of the...

Captain Cornwell: No, it actually issues the actual penalty to them, also.

Councilman Collier: Okay, it also issues it as well. Well, I would suggest Captain that you do for this, at this point in time, just for my purposes, if you would provide that information that you've got to Mrs. Rogers so she could pass it to the Council, I'd like to at least read it

at this time, in order to figure out how we want to approach this issue; whether we want to take that into consideration or if we're going to stand alone and say step up Milton Police Department, you're going to have to start taking care of this; we want to see a reduction in the number of false alarms that you're answering on a monthly basis. I mean, that's the thing. As I see it, the way he described it, if it's a 90/10 split, it's essentially a no cost, but no revenue realized because of it. It just makes a nuisance go away.

Councilman Coté: Yes and I think at this point in time, where we are with staff, I don't know that we have the staff to devote to doing a start up on this project.

Councilman Collier: And I agree, so that's why I think it at least merits us taking a look at this company's information.

Councilman Coté: Yes, definitely. So with your permission, can we ask the Captain to provide that information, Mrs. Rogers?

Mayor Jones: You just did.

Councilman Collier: I know, but I just want to make sure I'm not stepping on your...

Mayor Jones: That's fine.

Councilman Collier: Okay.

Captain Cornwell: Okay, I'll forward it.

Councilman Collier: Thank you.

e) Memorial Park Gazebo Usage policy

Captain Cornwell: Is it alright if I leave now, Madame Mayor?

Mayor Jones: Sure.

Captain Cornwell: Okay, thanks.

Seth Thompson: Okay, what I did is I initially just drafted a really quick request form and then I provided a few different samples, both of other request forms, but also policies. So there are a few things that we need to consider. I know when we talked about this last, the thought was well maybe we do a sliding scale or staggered fee. The reason I provided a couple of different examples, is you can see some of the issues that maybe we need to figure out. Is there an exclusivity? If there is, is it for the entire park, or is it just for a portion of the park? What kind of duration of time, perhaps somebody can just rent the gazebo for a few hours; same thing with the park; a few other issues that seemed to come up and we talked about this to a degree earlier. Obviously there are trash cans that need to be emptied and the park needs to be cleaned. At least one of the municipalities have this notion of carry in/carry out. It sounds like that's not what happens with Town currently. I don't think it came up previously, but I suppose you could reach a point, in terms of the number of people that you would want to assign a Police Officer; maybe the Police Officer has patrol duties. That would be something to factor in when it comes to the fee. There's the issue of whether you allow somebody to amplify the noise, so in other words, are you allowed to have microphones, are you allowed to have DJ's, can you have a stage, can you have tents? There's also... at least one municipality allowed alcohol, as long as they had their gathering license from the ABC. The other issues that I spotted, is there some sort of local discount, or is there some sort of discount or no charge for non-profits? So those were just kind of the items that maybe we ought to consider when we're crafting this policy. Hopefully, I was hoping to get a little bit of direction tonight. Obviously it doesn't have to be some final thought, but I could then craft it a little bit more to how the park currently

works and how Milton uses the park.

Councilwoman Patterson: Some of the things that I like about the attachments that you put on there; are not that you want a lot of rules and regulations, but I like the carry in/carry out aspect and it says if you don't clean up your trash, it will be deducted from your deposit. So that's implying that if you do have a fee, is there a deposit included in that.

Seth Thompson: One of them has a \$25 deposit. \$25, I would venture to say that people probably just don't bother cleaning up. If you're only going to charge them \$25.

Councilman Collier: We already have carry in/carry out, because they carry it in and Mr. Wingo's staff carries it out.

Mayor Jones: I would say and I'm just basing this on the rather big parade, St. Patrick's Day. I know that there was an occasion there where the question of a mixed communication about barricades and where they should be and when they should be there; then why am I paying a permit fee at all? Well, when that department has to call back that applicant, 2 and 3 times, to get the information needed, where one, maybe not using the right form to capture everything and two, not asking all the pertinent questions. Like you said, this is a time to add and subtract on the part of the Town. Are there barricades needed? Are there cones needed? You have here the use of water, for the Town of Milton would be one of the ones. Yes, everybody will use the portable toilets. I didn't get much out of that and I don't know anybody who brings their own trash receptacles in unless you require them.

Councilman Collier: I would like to make a point about portable toilets. We currently provide two. When you get an event of a certain size, it should become the responsibility of that sponsor of that event, to provide additional ones.

Mayor Jones: Well and talking freely about the big event coming this weekend, two toilets and let's use the Horseshoe Crab Festival; when you have that many people on the grounds, two isn't enough, even though we're sending somebody there to clean them specifically; again, in addition to regular maintenance. Yes, I think those are large enough events that warrant extra help and I don't think that's on us.

Councilman Collier: So then I guess part of the thing with the toilet issue, you need to come up with the number standard for a port-a-john will service how many people, for how long; so let's say for argument's sake each port-a-john will service 50 people for one day and they have an event that they're anticipating over 500 people, I'm just getting at this...

Mayor Jones: You want to be number 50 in that port-a-john?

Councilman Collier: Marion, for argument's sake. But anyhow, you have to develop some figures that have to relate to the size of the event and the duration of the event as to what you require... you're going to pay us this much and we'll have it placed, or we're going to require that you place this and show us a contract that it will be placed, because people will tell you... oh yeah, I'll take care of it and then the day comes and it didn't get taken care of.

Mayor Jones: I'm going to have to agree on that.

Councilman Collier: So there's a lot of things that we're going to have to look at with this and I think that we're on the right track, but I don't think we can develop this well enough in the period of time we have in front of the budget, to come up with a complete Fee Schedule at this point, but I think it's something that has to be done. I guess at this point, you have to put a placeholder of some kind in there; let's get something started, so that if nothing else, you get people accustomed to that.

Mayor Jones: Well, I promised to share a comment that came from a resident; actually it

was a former Mayor who said why don't we charge resident's \$10 and then we can charge everybody else as we want? Well that resident is liable to have a party of 50 people, or I know a resident, I'll get them to book the park and then it won't cost me so much. I don't see it as a punitive action. The taxpayer's have burdened this, all along. It's now time to pass it back to the folks who are doing the organizing.

Councilman Collier: Well, I don't know that you can go... You have to determine a small gathering, a large gathering; because who's going to come and count and see whether they've got 49 or 51 people there?

Councilwoman Patterson: I was thinking that too. We do have barbecue areas set up in the park for people and if it's a birthday party and they said it's 25, but it's really 30... these are things to think about.

Mayor Jones: There's always going to be a variable.

Councilman Collier: There's a lot of little variables in there and I think it comes down to a small gathering and a large gathering and even a time constraint. \$25 gets you the gazebo for two hours for a small gathering. If you're going to occupy this much space in the park, you're going to pay the large gathering fee and you almost have to assess the fees on a case by case basis, but you have to come up with some sort of a standard, whether it be with a large gathering, with vendors, if you have 10 vendors, you pay so much; if you have 15 vendors it gets higher; I'm just throwing oddball ideas out. But it's going to take a lot of time and thought to develop something that's equitable across the board.

Mayor Jones: There are an awful lot of towns that are already doing it. The one thing I will say has been helpful in Rehoboth, is they require a deposit, in addition to what they charge, they require a deposit.

Councilman Collier: And the deposit covers things that you can't anticipate; like you might get a rowdy group in here and they kick out a railing in the back of the gazebo and nobody notices it, because we don't have anybody there supervising the event.

Councilwoman Patterson: That's true. You can get a security deposit in that respect, and also if somebody wants to rent like a larger section of the park and then they don't show up, because the plans fell through or something.

Councilman Collier: Yeah, well I get that.

Councilwoman Patterson: That's the other side of it.

Councilman Collier: I run into that from time to time with the birthday party thing; every once in a while somebody just doesn't bother to show up.

Councilwoman Patterson: And not call.

Councilman Collier: And they don't call.

Mayor Jones: Well you two work these all the time, so I know that this has been put together, but what falls between the cracks, except for double booking, which almost happened at Horseshoe Crab Festival, because nobody came forward and put that aside. You were supposed to know that that date was on that calendar.

Councilwoman Patterson: Oh dear, really?

Mayor Jones: Yes.

Councilwoman Patterson: It was like the year we had the St. Patrick's Day Parade and there were no signs for the cars to be moved, so the parade happened. All the cars were parked on the street and kids were almost getting run over trying to run out between the vehicles.

Mayor Jones: You work these things. You get the calls for what's needed by these people

and you probably, maybe get some strange calls. The only thing I have in question is, isn't amplification not allowed? I think there's an issue with that outside of the concerts.

Seth Thompson: That's fine, it was just one of those... if we don't allow it, then we should put that in the rules and obviously take it off of the request form.

Councilman Collier: I can only think there was one instance where there was a birthday party in the park this year, where the kid had a DJ, but they weren't overly loud; they just played music within the gazebo; but then there's a church group that comes in that cranks it up...

Mayor Jones: Til dark.

Kristy Rogers: That's why we need a good noise meter.

Mayor Jones: Yes, that's a nice idea. Did we put that on the budget? That's its own line item. That calibration is its own line item.

Councilman Collier: I used to resist this idea, when I sat on the other side of the table, but it's more apparent to me, the more time I spend in the park and the more I see, the more it becomes apparent why there's a need for it. I don't know that you necessarily look at it and I wouldn't want anybody to think that we're trying to generate revenue by this, we're just trying to break even on the expenses; because there is a certain expense no matter what the event is at some point, because a lot of times I'm there Saturday and Sunday and I know that Monday morning Mr. Wingo's staff is out there picking up after what went on and not all of it occurs because of the events that were scheduled there and there's no way that you are going to be able to capture that entirely. Well I lobbied long enough to where we got extra trash cans, because I've seen by the end of the day Saturday, they were stacking it outside of the cans that are in there.

Mayor Jones: Do we require that anyone using the park... let's use the big event coming up, Bargains on the Broadkill. Do they require their own insurance carrier?

Kristy Rogers: We've never asked for proof.

Mayor Jones: Because I want to tell you, that is a liability on the Town and last year, I don't mind saying it straight out, somebody from Parks and Recreation gave that church permission for those bouncy toys, in the middle of that park, one concert night and I thought to myself who in the world worried about insurance; because I have to admit, I'm going to turn to an attorney, that becomes Milton.

Seth Thompson: It does, to a degree. The bottom line is personal injury attorney's tend to cast the broadest net possible and then you're left to sort it out amongst the party's, but yes, I would expect the Town to be named in that type of suit.

Councilman Collier: In the agreement that was made between the Town and the Lion's Club regarding the train, many, many years ago; it's so long ago that nobody can find a copy of it, but I have a copy; the Lion's Club was required by the Town to carry insurance, over and above what the town carries in the park.

Seth Thompson: Really, the way that plays out in practicality is that again, the Plaintiff's attorney casts this broad net and the Co-Defendant's are left to sort out who is responsible among them.

Councilman Collier: And event insurance is not impossible to get, because I've been involved with a rather large, formally Sussex County event, for many years and they purchased a three or a four day policy for it annually.

Seth Thompson: The one that I don't know is when it comes to birthday party's and

whatnot. Can a private person get some sort of policy for an event? I just don't know that. I understand that groups can do it.

Councilman Collier: It gets into a ticklish area, but I think on large events, you stand more likely to run into that. It's like with the Fourth of July thing. I only agree to run the train if they agree to fence the infield, because they're going to hold games out there and I know what kids do when there's stuff going on in that middle, those bouncy houses, as you refer to, drove me stark raving mad. Kids darting in between the bushes and stuff. So I mean I think we're on the right track with this thing and I don't know who you hand this to to work on. Obviously, I would think Parks and Recreation, but I think your Parks and Recreation Committee is in limbo right now. Is it not?

Kristy Rogers: The other request form we have is for the parades. I don't know if that should be worked on at the same time, because it was mentioned about the St. Patrick's Day Parade, because they only applied for a parade, not use of the park or the port-a-john; none of that was included, so I don't know if we want a fee for parade permits.

Mayor Jones: We don't charge for parade permits now?

Kristy Rogers: No.

Mayor Jones: Well see, that doesn't make a bit of sense, because we're throwing barricades out there where they need them. There's manpower coming in to provide that stuff. We're getting police from other agencies. A lot of places, the parade person, the parade organizers would be paying for those extra Police Officers.

Kristy Rogers: It's always discussed as a town service.

Councilman Coté: We're just really good folks.

Mayor Jones: We are really good folks. I don't argue that, but it has come at a cost.

Councilwoman Patterson: I like the St. Patrick's Day Parade. It's a huge parade that's bringing a lot of publicity to the town, so you're kind of in a catch 22; it does bring people to town.

Mayor Jones: It does, but I think a nominal fee for a permit is fair. They have to go to DelDOT for them.

Councilwoman Patterson: So they would have to pay for a permit for a parade, here in town? Does Irish Eyes?

Mayor Jones: We don't charge anything.

Councilwoman Patterson: They do not?

Councilman Collier: Even if it's nominal initially until we can develop something and you have to look at it, because I notice that in some of the stuff in the back up, Battery Park, I think is the one; but one of them had a thing, if a non-profit organization. So if you're dealing with a non-profit, you may want to handle them differently than you handle a for-profit.

Mayor Jones: And I'm going to argue that, because when we go to the non-profit fire hall, we have to pay them \$100 every time we rent their hall. But they're non-profit, so they shouldn't have to pay anything.

Councilman Collier: Well, they haven't asked to go on the Town property yet, with anything that I know of.

Mayor Jones: I think you just laid the groundwork for considering them to be different. That's all I'm going to say.

Councilman Collier: No, I didn't say that.

Mayor Jones: We give a break on taxes. But that's policy. Their policy is you pay \$100 to rent the hall, then you pay \$100 to rent the hall. This is policy and you have a gathering in that park of 100 people, even with a non-profit and it requires town services, where do you draw the line? You've not charged church groups.

Councilman Collier: No, charge them all. That way there's no discrimination.

Mayor Jones: And it is something very reasonable. It's really a pilot program. It's going to start out very small, but some of these events are much larger.

Councilwoman Patterson: And you have to tell them it does tax town resources. I'm not up for constantly taxing people and charging them fees, but it's taking our town resources that we're really in a fight in this budget; funds are limited.

Councilman Collier: I believe you're right. Starting out small is the way to go and possibly the way to zero in on what kind of fee we should be charging is that we have to charge a small fee, monitor what the town puts into the event in the form of getting prepared for it, the clean up after and stuff like that and see what our expense is and adjust the fee accordingly based on that idea and you have to kind of pick... okay, well we had an event of 25 and we expended this and then we had an event of 500 and we expended that. Now, it's going to require somebody along the way to do that documentation, but I think that gives us a better handle...

Councilman Coté: Say somebody.

Councilman Collier: Well I don't want to call any names.

Councilman Coté: I think it's Melinda or... don't even say it. Yeah, I mean... and then you're also forced with the perception as Mr. Crawford pointed out, that how come the town doesn't help us with this? And they don't look at how much the town is helping with it, because of all the services we provide for their event.

Councilman Collier: I think you could put that to bed real quick, the first time you get asked that question; just say okay, well here's what we've done. We had 10 man hours getting ready for your event, we spent a dozen man hours cleaning up, we put X into having the toilets cleaned before your event began. We had to clean them again after it was over with, now how much more help do you want from the town?

Councilman Coté: Don't ask that question, because you'll get an answer.

Mayor Jones: There's your initial part, right there. We're looking at an event coming up this weekend and there's been no contact made to secure that park.

Councilwoman Patterson: Not even a permit fee?

Mayor Jones: Nothing.

Kristy Rogers: I have an application filled out, but no contact to set up the event whatsoever.

Councilwoman Patterson: Application is filled out, but no contact?

Councilman Collier: Well, I know how you get a contact, just throw a lock on that chain over there by the railroad tracks.

Mayor Jones: What chain?

Councilman Collier: They like to come across the infield of the train.

Mayor Jones: They don't come across the infield of the train. We settled that awhile ago. The point is that one person was already booked for the Horseshoe Crab Festival and believe it or not and the organizer's had not contacted the town and Kristy had to call and cancel those people. It's not for the town to keep everyone's calendar. Yes, we're small and

yes, we need to be friendly and cordial about this. This is not about not begin friendly.

Councilwoman Patterson: People need to be understanding too.

Councilman Coté: But some of the folks who aren't friendly, who sit out here, insist that we be a business.

Mayor Jones: Well it was my conversation with a director of the Chamber when I said what are you charging your vendors to get in here and she said \$125 and I said and you pay nothing to us for the service.

Councilwoman Patterson: Yeah, the trash and all that. Nobody has to think about restrooms for these events? What?

Councilman Coté: Well somebody does, but it isn't the sponsor.

Councilwoman Patterson: Oh my. I didn't realize that.

Mayor Jones: Well and I get the calls on Saturday afternoon before the St. Patrick's Day Parade, wanting to know why there are arrangements for those barricades to be at these four different locations. Well, let me ask a question. When you filed for that permit, because I believed you paid something, when you filed that application, did you tell them what you needed? No.

Councilwoman Patterson: For a parade that big?

Mayor Jones: Well, question. Did Milton ask you what you needed? Let's start with the beginning. Were you told what Milton needed from you? Do you need this, this and this? I hate to see a large event coming up like this weekend, go for \$25.

Councilman Collier: Oh, I agree.

Councilwoman Patterson: Oh, I agree.

Mayor Jones: But you're about to set this in, unless you want to review it at a six-month budget review, you need to set it at a level and go with it, as a test program.

Councilman Coté: We could always put in here, just for the beginning, less than 25 people is...

Mayor Jones: Small.

Councilman Coté: And then you have a medium size and you have a large event, which this weekend would qualify for and the large event doesn't have to be \$50 or \$100; it could be \$200 or \$500.

Councilman Collier: Well, let me ask one simple question here. First of all, we won't be charging a fee for this weekend, because it's not in effect yet and this Fee Schedule's not, but by the same token, we can leave it at \$25 as a placeholder, because I believe we can call the Fee Schedule back and vote to change it at any given time; it's not that it languishes for a year, or six months; we can put it on there effective October 1 and on November 1 adjust it. I think that we need to at least place it on there for a placeholder and then get the time to come up with the formula that we need and that the application forms and all that kind of stuff and while the park is not subject to a big event. The only event I know that would be happening in the park after Bargains on the Broadkill, would be if we have a Christmas event this year and that would be town-sponsored. Would it not?

Mayor Jones: It would be town-sponsored.

Kristy Rogers: There's an event in September that a church is having, that's going to be about 100 people.

Councilwoman Patterson: I don't think \$25 is... I almost think it's too small.

Mayor Jones: The reason they're choosing the park is because it doesn't cost anything folks.

Remember that. It is a beautiful park, what a great place to go, but it is free.

Councilwoman Patterson: Yeah. It's a lot of resources.

Mayor Jones: Seth, I think you did a good job at a stab at this and giving us some examples.

Seth Thompson: This was just kind of to spark the thought process.

Mayor Jones: But I have to admit, since this is something I'm learning, not only a park permit, but I'd say a parade permit.

Councilwoman Patterson: Yeah, well a certificate of insurance. Jon and I sponsored a music festival years ago at the Rehoboth Convention Center and I had to go down and get a day permit for the event, just in case someone got hurt, so that was required from Rehoboth Convention Center.

Mayor Jones: And I would think, now this may be something that the Town of Milton already requires, but without seeing a form, with a parade permit, if you're going on certain roads you have the DelDOT piece that has to go along with that. If it's a night event, is there lighting, is there all kinds of things?

Councilwoman Patterson: See we also had a run when we first opened the practice and we had to get DelDOT and the Town of Milton to okay it, because we had to have people running through town and it was a lot of work, because there were a lot of hoops to jump through, but I was really in contact with the town about it. I think you should tell Bargains on the Broadkill that somebody else almost booked the park that weekend. You know which weekend it's going to be for next year, put the application in now, with a contact; because somebody else almost got it and we would have had to cancel it.

Councilman Coté: But not too early, because if we want to charge them a lot of money, we want to be able to collect it.

Councilwoman Patterson: Maybe payable 60 days...

Kristy Rogers: I just won't sign it yet.

Mayor Jones: And up to what point do you return the deposit? Like you said, somebody doesn't show up or something.

Councilwoman Patterson: Seven days, because then you can't rent the park.

Councilman Collier: One of the examples we got, was a seven day; but I know sometimes you probably would get a call on Wednesday, for it on Saturday, right? Those are usually the little tiny events.

Mayor Jones: You got some notice about a wedding in 2015, didn't you try to book a date? And then you also need... the Town needs to decide, what are we renting? The gazebo? The main portion of the park?

Councilwoman Patterson: Maybe you should draw a map of the park and create some quadrants, so they would know which area is available.

Councilman Collier: I think you can make the gazebo exclusive, but I don't think that you have much ability to...

Mayor Jones: You can't.

Kristy Rogers: That's all we tell people is you only have rights to the gazebo.

Councilwoman Patterson: Right, it's a public park.

Councilman Collier: Then, when you start bringing occupying ground, so to speak, like with the vendors then that triggers another thing. If nothing else, there should be a day permit for each vendor, even if it's a nominal fee.

Mayor Jones: I would say, just as a recommendation, that collectively if we know of places

where Lewes... Canal Front Park is one, Rehoboth is one. Now they require a deposit and that depends on the size of the people, which one of those gazebos they rent; but there are some things out there and I don't think we're going to fix this tonight, but as some additional recommendations that I've heard come from Council and still would like to hear from the folks who actually work it, as to what some of the finer points are, that we wouldn't have a clue what they were, or I wouldn't, since I don't work it; would also be helpful, but perhaps we could bring this back and look at it, in time for the budget to put a placeholder in for money. Or did Council just wish to decide on a figure tonight?

Councilman Coté: I don't know if we're going to have a magic answer by... did we schedule the next public hearing yet?

Councilman Collier: Let's leave the \$25 in as a placeholder at this time.

Councilwoman Patterson: Yeah, that's fine.

Councilman Collier: It's either that, or you put in T.B.D., to be determined.

Councilwoman Patterson: I mean \$25 is not bad.

Councilman Coté: Yeah.

Mayor Jones: What I fear is... this is my fear. We put \$25 in this year and we decide that these big events need to be \$100 or \$125, that's a big step up.

Councilwoman Patterson: Okay.

Mayor Jones: You know what I'm saying? That's going to make people suck in air next year and go why did it go up so far?

Councilwoman Patterson: What's something that you could put...

Councilman Coté: Small, medium and large.

Councilwoman Patterson: Yeah, you could say, see something else for rates.

Kristy Rogers: You could say a \$25 deposit, plus fee on application or per park agreement.

Councilman Collier: Yes, there's got to be some way to convey it, if nothing else to be determined, but most people want to see a concrete number.

Seth Thompson: You could make it per attendee, or part of that.

Councilman Collier: Then somebody's going to...

Seth Thompson: They're going to low ball it, is...

Councilman Collier: Somebody's got to count heads. And there's always the thing, well, we had an event and we had 21 people, but there were seven other people that just wandered into the park; because it's one of the push backs and not to keep bringing up the train, but it's something I can make very clear to people when they engage the train, that it's a public park and I don't refuse any child a ride, so you just might get used to the idea that they may not be at your party, but they're riding.

Seth Thompson: You could do small being 25 and under; medium being 26-100; and then large being over 100, something like that.

Councilwoman Patterson: We could eventually work that out. Like this one just says the event request fee.

Mayor Jones: I'd say medium is 26-50. That's just one opinion.

Councilwoman Patterson: I would say that was medium.

Mayor Jones: That's just one opinion.

Councilwoman Patterson: And then 50 or more, or 100 or more.

Councilman Coté: Well if you do 50-100 as a separate category and then more than 100.

Mayor Jones: You do 50-100. Right.

Councilwoman Patterson: And then 100+.

Councilman Collier: Alright, so that gives us four levels initially.

Mayor Jones: And we ought to perhaps be willing to come back. I don't know if this will be on September's agenda, but with some ideas for rates and what impact that many people might have on a park like that.

Councilwoman Patterson: Sure, because Bargains on the Broadkill brings in how many people? A couple of hundred, right?

Councilman Coté: I would think easily.

Councilwoman Patterson: So maybe up to 500 more.

Mayor Jones: I think that larger one is definitely going to be planned for the events that we know are large.

Councilwoman Patterson: It's a lot of resources for the town and like I said, it's not to penalize them, it's just to make sure that all the i's are dotted and t's are crossed.

Mayor Jones: It's just Milton standing up for itself.

Councilwoman Patterson: Well that's part of it too. Well...

Mayor Jones: It's operations. Are we good for this tonight and we'll be revisiting this?

Councilwoman Patterson: Yes.

Councilman Collier: Yes.

f) Fiscal year 2014 planning and zoning comprehensive plan budget

Mayor Jones: This was on this month's agenda. You did see it and we were unable to vote on it. The only thing I made was that we had agreed that that temporary help, could possibly be reduced as Fire Hall rental fees. Is that correct, Mrs. Rogers? I think that's what I wrote on my notes last night.

Kristy Rogers: I looked at their schedule, as well and there aren't any scheduled for the Fire Department, for this fiscal year.

Councilman Collier: I don't get what the temporary help is, still.

Kristy Rogers: That is for Mrs. Rodgville to start transcribing and typing the Comprehensive Plan.

Councilman Collier: That's what it is for the transcribing. Okay, that I understand.

Mayor Jones: Now that's actually transcribing the Comprehensive Plan? Okay.

Councilman Collier: Transcription services. Alright.

Mayor Jones: And we do have \$9,000 left? Okay.

Councilman Collier: I still think Survey Monkey is a waste of money, but, they're not going to be happy until they get their monkey to play with.

Mayor Jones: Does anybody know when, I know this is a side point; but when that Survey's supposed to have been?

Kristy Rogers: I don't have a date, but Mr. Goodinson emailed me last week; wanted to go ahead and have me purchase Survey Monkey so he could start working on implementing the questions. I haven't moved forward and made that purchase yet.

Councilman Collier: This is a little off topic, but is this survey going out with just the sole approval of the Planning and Zoning Commission, or will it have to come before Mayor and Council, before it can be released? And I'm looking at it from the aspect that I don't know if there are any legal ramifications on what you survey, but I'd certainly hope that they wouldn't ask a question that could get us in trouble, later on. I'd like to know that they

didn't.

Seth Thompson: Right. The Comprehensive Plan process doesn't dictate at what level you would or wouldn't be able to send out surveys, but I'm more than willing to review what questions they're asking.

Councilman Collier: I'm just asking it at this point in time, because I don't know, these guys scare me a little bit sometimes. It's like everything that they want to do, it's like we were supposed to give them a menu to choose from; well we want this guy, but we don't want that guy and I'm really a little tired of them demanding a menu for everything.

Councilwoman Patterson: It's a tough process.

Councilman Collier: It is.

Mayor Jones: Well, do we pay for Survey Monkey before we have a survey in our hands?

Kristy Rogers: Planning and Zoning has a Draft Survey ready. I think it's 20 questions.

Councilman Coté: Yes, they have it ready.

Councilman Collier: Okay, I'd like to see the draft, that's all.

Councilwoman Patterson: Yeah, alright, so they have the questions?

Councilman Coté: Well, how much of a turf war do you want to create? The easiest way I think is to have Seth look at it, before we... just to make sure...

Mayor Jones: If Council thinks the Council needs to look at it, then we have the right to call that.

Councilman Coté: Yes we do. Of course, we do.

Mayor Jones: Because actually Planning and Zoning is still under us, even though they are carrying the banner.

Councilman Coté: You think? Ask them.

Mayor Jones: Okay, I spoke too soon.

Councilman Collier: I don't like that, right there, because that's not the Town of Milton, that's a grassroots organization.

Mayor Jones: So is the Facebook page, John.

Councilman Collier: I won't argue that with you.

Mayor Jones: Anyway, how do you feel about this expenditure? Any clarification on those engineering fees, this wasn't just to have them sit in the audience and attend meetings, was it? They'll have real need for engineering fees and my question is, will they engage those by the end of September? They may.

Kristy Rogers: I think those engineering fees were to have our Planner review the first draft. I think their intentions are within September to have a first draft ready.

Mayor Jones: Really?

Councilman Coté: Good luck with that.

Councilwoman Patterson: Wow.

Councilman Collier: That's pretty...

Councilman Coté: It's very ambitious.

Mayor Jones: The reason... I didn't say that to be smart. The copy I looked at today, had them all the way into December, before they presented the draft. Was that to the public?

Councilman Collier: I'm worried if \$625 is enough.

Mayor Jones: That's just until October 1.

Councilman Collier: Okay, just making sure.

Kristy Rogers: They just mentioned at their last meeting that it was their intention to have a

draft ready soon. Hopefully, September.

Mayor Jones: A draft of some portion of the...

Kristy Rogers: Like the first third.

Mayor Jones: Okay. Alright. No, then that's when the Planner will kick in.

Councilman Coté: How many hours of Helene is \$5,600?

Kristy Rogers: I don't know, without calculating the payroll taxes, etc.

Councilman Coté: Even basically, what does she get \$12-\$15? Just base. Well, even if... let's just say that. That's like 350 hours, at a minimum?

Kristy Rogers: The goal was for her to work 10 hours a week, so that _____ line is high, but...

Councilman Coté: But that's like 350 hours at \$16; at \$20 it's obviously less and it's probably closer to \$20 with all the costs absorbed, so that would 280 hours. Right? Have I got the decimal point in the right place?

Mayor Jones: She would almost be better off to do this as a private contractor.

Councilman Coté: That's 10 hours a week; that's 28 weeks and that ain't happening before the end of the year. We can approve this and knowing that anything that falls outside of this requires another specific approval.

Mayor Jones: I have a question. Helene, who's primary responsibility is to her employer, the Town of Milton. Now Helene was out for quite a while and I know that she is catching up desperately. This is putting this need... Is this putting the Comprehensive Plan's need ahead of her other regular, or assigned duties and the reason I ask that is, I thought this was being shipped out for work by a temp. She understands and she agrees that this is extra.

Kristy Rogers: Her schedule is Tuesday through Thursday. This was supposed to be additional Monday and Friday, as she had the time that allowed.

Mayor Jones: Okay.

Councilman Coté: But that number of hours is way more than...

Councilman Collier: I calculated it out at 40% for overhead and it still was 250 hours.

Councilman Coté: So, that's 10 hours a week at 25 weeks and that's not going to happen between now and the end of the year, either.

Councilman Collier: Yeah, it's a little high. Unless they've got another plan.

Councilman Coté: The good news, some news in here, is that essentially this gives us a little more control, because they've dedicated this much to temporary help, or transcription and if they need to spend the money for other than that, it still needs to be reapproved.

Mayor Jones: She can't put in the hours that equal \$5,600 between now and October 1st.

Councilman Coté: Not at 10 per week.

Mayor Jones: She can't.

Kristy Rogers: And we will have expenses that we feel are important for the Comprehensive Plan, that we're not going to run through Planning and Zoning, so this may be their guide, but I still feel that if I need to have an advertisement, or call the Town Solicitor, or call the engineer, it's going to affect their balance to what's budgeted.

Mayor Jones: Okay, then I'd rather hear from you, because I want to know what you see as necessary. I say they cannot spend \$5,600 between now and October 1st on transcription costs. This isn't possible.

Councilman Coté: You're right.

Mayor Jones: So why not reduce it and shift it to something else that Kristy feels may be

needed before October? What are they? Can you give me just real brief?

Kristy Rogers: I don't have specifics, but again, engineering fees will probably be higher. I don't think we'll have meeting announcements. I had estimated them to be \$75 per time in the Cape Gazette and I think actually \$125; so again, when I discussed this with the Committee, it was a guide; how they were going to spend their \$10,000.

Councilman Collier: Well they talk about a mailing. Who are they expecting to stuff the envelopes? Is that going to be part of the...

Kristy Rogers: They're all supposed to be volunteering.

Councilman Collier: Oh okay, so that doesn't encompass temporary labor to do that.

Councilman Coté: No, that's just postage and supplies.

Councilman Collier: Well then, what I'm getting from you is that we could actually take this temporary help and cut it in half and even create another line for...

Councilman Coté: Town Hall expenses. No, that's not the answer.

Councilman Collier: Or we could redistribute it in some of these other columns, you could double the public meeting announcements, you could triple the engineering fees and redistribute it.

Mayor Jones: How about you said legal fees; anything you expect by the end of September?

Kristy Rogers: I don't know.

Seth Thompson: I tend to be towards the end of the process. Every once in awhile there are questions, in terms of how a particular meeting needs to be run; but for the most part, the legal comes after all the public input and the engineer's comments and those things.

Mayor Jones: Maybe instead of, I'm just taking a guess at increasing engineering fees, I still say you're not going to use that many engineering fees, even with your Planner, by the end; but just reduce the temporary help line; so money remains in that account. It's not mandated that every cent be spent. If you want to increase your engineering fees slightly, then I would, but I don't know that I'd encumber all \$5,600 of that money.

Councilman Collier: Okay, well I'll give you something and I've already heard this floating out here and it's not included anywhere in this. At some point in time, you're going to have a printing bill for mapping, because somebody's going to produce a map; they're going to want to produce copies for distribution. Now, do we do it on the town's... Even if we do it on the Town's Xerox machine, there's a cost associated with it.

Councilman Coté: But it's probably not until next year.

Kristy Rogers: I don't have the capability to make a map large enough, like they want for their meetings.

Mayor Jones: Pennoni will make the maps.

Councilman Collier: I'm talking about one that's for individual distribution, because they'll make a big one to put on the wall, but they'll want everybody to have a smaller one. Well 11X17" is probably the largest you can do on your copier and 11X17" is what's called a tabloid or a half-size. A normal print sheet is what, 22X34", would be a full size plan sheet and that's a pretty good size map to look at. It's large enough that they can read street names on it and see lines clearly drawn and everything else and...

Mayor Jones: What's the purpose of this map?

Councilman Collier: Well, you've got the current map and the one thing it is and I'm probably thinking outside the box and maybe I should leave this alone; you do these interactive things and they want everybody to come up and draw lines on the map. Well,

you know, you can only have 15 or 20 people come up and draw lines on the map, before you don't know what lines were drawn or what means what, or you hand out individual maps and say you draw the lines, as you see them.

Mayor Jones: They didn't plan for any of that.

Councilman Collier: I know they didn't, but I'll bet you they come up with it at some point.

Mayor Jones: Is it between now and the end of September?

Councilman Collier: I don't know.

Kristy Rogers: I think that's why it wasn't added. I think we talked about maps being after October.

Councilman Collier: That's fine. It's just you want to talk about what to do with this and I think you need to probably put more of it in... increase the line that they have for public meeting announcements, based on what you said, whatever you think is appropriate; engineering fees, you might want to tweak up a little bit and reduce a little bit; and reduce the temporary help thing and if it doesn't come to \$9,000 so be it. The money is still there, if they can justify the need for it being appropriated before the end of the year.

Mayor Jones: Would making public meeting announcements \$500 be a buffer enough, or not quite? We can make it more. There's some to play with here. Do you want to make it \$600?

Councilman Coté: Put it in the General Department.

Mayor Jones: Do you think \$2,500 or \$3,000 is more reasonable between now and... we're talking about 5 weeks, 6 weeks, less than that.

Councilman Collier: I'll give you a line of figures I just ran down and what it totals. \$500, which you already said was public meetings; bump engineering fees up to an even \$1,000; use Survey Monkey as is, because that's the only thing we know of, for sure, at this point, just because survey printing and mailing may exceed \$2,100, let's make it \$2,500 and you can use \$2,500 for your temporary labor, which is still pretty generous, based on the amount of time that she has to devote to that.

Mayor Jones: And these are allowable figures, not necessarily do they have to spend them?

Councilman Collier: Right. So what's that \$6,800. Isn't that in a single line on the budget right now, so then the balance remains within that to be used as deemed necessary? I don't think that's unreasonable.

Kristy Rogers: How much for temporary help?

Mayor Jones: \$2,500.

Councilman Collier: Yes.

Councilman Coté: I was looking for something. What did you do?

Councilman Collier: \$500 for public meetings; \$1,000 for engineering fees; \$300 for Survey Monkey; \$2,500 for the survey printing and mailing; and \$2,500 for temporary help. The only thing that didn't change out of the original request, was the Survey Monkey, because that's the only thing we've got concrete in the way of a fee. Everything else is a speculative fee, so we've raised some and lowered others and the remaining...

Councilman Coté: For whatever it's worth, the discussion at the last meeting is this was their money. I did inquire as to where they got their money, whether they had other fund raising events and the answer was no, they didn't have any other fund raising events.

Councilman Collier: Now, did you do that on or off the record is what I want to know?

Councilman Coté: I think I was on.

Councilman Collier: Good man. Thank you.

Councilman Coté: Unfortunately, I got on more than I wanted to.

Mayor Jones: And then I'm going to qualify, that engineering fee being raised, is for an hourly rate for that professional to be engaged in that phase, review not come and listen to public context. There's a difference.

Councilman Coté: Or is that \$1,000 where he has to come and be interviewed for his job by the...

Councilman Collier: Well, we can clarify that by rewriting engineering fees for review. I mean, you know, if you want to qualify it, you just make that... it says engineering fees. We can certainly rewrite that.

Mayor Jones: Or Plan Review. So we're at \$6,800 with those changes. Does everyone feel comfortable with that? Would anyone like to make a motion to adopt this?

Councilman Collier: I move that we adopt the amended budget for the Comprehensive Plan. Do I need to get more specific?

Seth Thompson: For 2014.

Councilman Collier: For 2014.

Councilwoman Patterson: I'll second.

Mayor Jones: All those in favor say aye.

Councilman Coté: I'd like a little discussion point.

Mayor Jones: I'm sorry. I usually do that, I apologize.

Councilman Coté: We have \$6,800. They were looking for \$9,000 and we put the other \$2,200 in as necessary by Town Hall. I understand that, but rather than face the issue of budgets being cut, I guess I'm anticipating some...

Mayor Jones: Actually, Councilman Coté, their budget is not being cut. The only thing we've done is reduce the temporary help, because they cannot possibly spend that money in five weeks. That's the only call for the change. We've increased some of their other categories, but we've taken it from there, because it just doesn't seem practical that they can use that that fast.

Councilwoman Patterson: I agree and I don't want them to think they're losing it, because it's still going to stay in the Comprehensive Plan, so if you want to put in as To Be Decided at a later date.

Mayor Jones: Not much later date.

Councilwoman Patterson: I know, because it's all... does it roll over to next year?

Councilman Coté: TBD.

Councilwoman Patterson: TBD.

Mayor Jones: By? Then it's got to go for what they want it for. It's got to come back here for approval, unless it's an administrative expense alone and then Mrs. Rogers can do that. Is there any harm in just responsibly saying you can't spend that much money on temporary help, we've reduced it?

Councilman Coté: And, \$2,200 TBD.

Councilman Collier: \$2,200 remains for contingency.

Councilman Coté: Uh-huh.

Councilwoman Patterson: That's fine, so at least they won't get upset that it's not there.

Councilman Coté: So their \$9,000 request is still a \$9,000...

Councilwoman Patterson: But probably it's probably better, so they don't get upset that we...

Mayor Jones: So the question is, what's contingency?

Councilman Coté: If we knew, we wouldn't have to call it that.

Mayor Jones: And do we get to spend it, or do we have to come back to the Council for approval?

Councilwoman Patterson: Well they should have to come back to the Council for approval, because we have to know what they're spending it on, right? So they're not losing the money, but we need to know what they're spending it on. It's not our money either, it's their money and the people in town's money, so we need to know where it's being spent.

Councilman Coté: Yes. Oh and for our clarification, I had this start some time after Mr. Newlands' stopped talking; when he said, there must be \$400,000 in transfer tax. There may be, but it's because we haven't taken the \$195,000 that's budgeted to be spent out of that account yet, so there really isn't \$400,000 available; there's about half of that.

Councilman Collier: Okay, so I guess I need to amend my motion, or we need to decide how I'm amending it still.

Seth Thompson: Is it going to be the \$2,200 for subsequent allocation or future allocation, something like that?

Councilman Collier: That I like.

Councilman Coté: I like that.

Seth Thompson: So that they know they have their \$9,000; it's just...

Councilwoman Patterson: That's probably a good...

Councilman Collier: So I'll amend my motion to reflect that there's \$2,000 remaining for a subsequent allocation.

Councilwoman Patterson: I'll second.

Mayor Jones: Any further discussion? All those in favor say aye. Opposed. Motion is carried. Before we absolutely leave that, who is preparing the 2015 projected budget for the Comprehensive Plan?

Kristy Rogers: They are.

Mayor Jones: They are? When did they anticipate getting that in here?

Kristy Rogers: Tomorrow.

Mayor Jones: Again, tomorrow. Along with other things about us not allowing them access to the engineer? Okay.

g) Fiscal year 2014 third quarter budget review

Mayor Jones: Mrs. Rogers has prepared the third quarter budget review. Also, Kristy, I have to say, the way that you prepared these, with this informational over sheet, is a great help. This is actually time for us to look at where we are and I see that there is a possibility for a vote on these items, when we review them. Kristy did you want to start this category off with anything in particular you wanted us to look at?

Kristy Rogers: There's no adjustments proposed, so it's just a summary of the third quarter.

Mayor Jones: Then I don't know if this is... I did give something on the table for your, as it states, review and consideration. This was presented to me...

Councilman Coté: Can I? I'm sorry. On this third quarter budget. Now, in some of the emails that have been going around, there's a question been posed, as to how we've recorded the purchase of 112 Federal Street and it doesn't show up in the Revenue and Expenditure Statement, because it's been recorded as a Capital Asset and those aren't in there. Mrs.

Rogers discussed it with the auditors. The auditors know where it is and they don't, essentially, and correct me if I'm wrong, essentially they don't care whether we put it into the Statement of Revenue and Expenditures or leave it where it is. They know where it is and they'll do what they have to do with it at year end.

Councilwoman Patterson: Okay.

Councilman Coté: So.

Mayor Jones: But there's been no comment that this is shady, what we're attempting to do?

Kristy Rogers: No, they were in agreement with how it was recorded, but we did decide to reclassify the purchase, as a Capital Expenditure in the Administrative Department, so that was not until July. Next month's budget report will reflect that being a capital expense; then reversing the net profit.

Councilman Coté: Madame Mayor, did I give you that email from former Councilman Lester?

Mayor Jones: You did not. You tried to show me that email, but you did not give that to me.

Kristy Rogers: The only amendment I would see, would be to increase the revenue line item for transfer tax to include the purchase of 112 Federal Street, showing that we used the transfer tax funds.

Councilman Coté: I will pass the email over to you and this directly addresses the comment you just made.

Mayor Jones: May I read this aloud, or no?

Councilman Coté: You should feel free. It's not without attribution, if you want to attribute who's comments they are, I think that's okay.

Mayor Jones: I think I won't. I think I'll pass this along with my thumb at a place of concern.

Councilman Coté: Okay. That's fine. Sorry, moving on.

Mayor Jones: Is this the time, if an amendment was request, is this the time to request it?

Kristy Rogers: It could be. I did not propose that, because the entry not being dated until July, so it's not reflected in the statement you're looking at, attached.

Mayor Jones: Okay, but if there's an amendment that we request, is now the time to request it and put it under consideration? You didn't get this? Whether or not some money can be moved from one place to another...

Seth Thompson: Just for budgetary purposes?

Mayor Jones: For budgetary purposes, yes.

Seth Thompson: Yes.

Mayor Jones: Well, listen to what I have to say. It's on the sheet in front of you. This presentation of a three minute Milton video was made by the Director to the Board of the Chamber of Commerce. It's relatively self-explanatory. This is a marketing video that can take up to a year to complete, simply because the attempt is to get sound bites and bits of these major events in town; it won't be the only things that are taken, but you kind of have to wait for them to cycle through, in order to take pictures. In fact, someone is going to be there this weekend taking pictures on the Broadkill of the Bargains and the Kayak Races. Mrs. Sumstein here talks about licensing buy-ins to use the film, though her conversation with me is, I said I think I'd like to see if Council could be convinced to get on board with this. I see it in a number of places, maybe being valuable, including our Economic Development Committee, including our website as I make a statement in the bottom.

Ultimately the project is \$2,800 completion and buying in or making this contribution to this video, would assure that Milton has the rights to be able to use this. At first, when I thought about this the \$500, in my explanation here, that the Economic Development Committee was appropriated, \$500 for Shakespeare in the Park was never used. The event did not take place. Then I thought, well, if we supported this this year, I would probably ask Council to support it in another fund amount for next year, however, in looking at how the Economic Development Committee spends its money, we gave the Economic Development Committee \$5,000 last year on October 1st. That was 2014's budget. In September of 2013, they used their allotted funds, \$800, if I'm not mistaken, to buy the Christmas prizes for the December event, so they used the 2013 funds to buy the 2014 event and waited until literally the twelfth month to spend it. So they're getting ready to do that again. They're going to spend it in the month of September, the money they need to go forward for their Christmas event in December. My feeling is, if you didn't spend it during December and they didn't need to, because they had last year's bank, perhaps that is another \$500 that if the Council has any ideas whatsoever of financing that again, this year, they will have their money in time for those Christmas presents; if that's what they choose to do. But I don't necessarily advocate waiting until the twelfth month to spend your money, because it's there. I mean, that doesn't work in the real world. This is just a recommendation to you. You may or may not agree with this. I think that our Chamber's work with the Town has brought a great deal of promotion to the Town. I do believe the stores are filling. I think that this young lady is like a one-man band, myself. She has a lot of ideas. This is just one of them. It would be entirely up to Council to make this choice. I did call Economic Development Committee. I talked to Bob Howard this afternoon. I told him what my plans were and he prompted me by saying the Shakespeare money hadn't been spent, but then I knew the trick of the Christmas money. And you heard them state, they're getting ready to ask for \$1,000 extra money to put a mural on the side of a building. Now, I grant you, I think that's probably going to be a real feather in the cap of Milton and I would love to see them do it with scaffolding and painters, but it's kind of morphed into we talked to Roger's Sign and they're going to bring a bucket truck and do it all that, because nobody uses scaffolding anymore. To me, that reduces, diminishes, the project.

Councilwoman Patterson: Are they still painting on it?

Mayor Jones: I can't decide whether they're painting or whether...

Councilwoman Patterson: One of those wraps?

Mayor Jones: Yes.

Councilman Collier: I think that Roger's is pitching a wrap to them.

Mayor Jones: And we're talking about a price tag of \$15,000 for one, that has the ship on it, with possibly a series of them down the wall.

Councilwoman Patterson: And where are they going to put it?

Mayor Jones: On the far wall of Tom Jones' Irish Eyes.

Councilwoman Patterson: Yeah, okay.

Mayor Jones: Okay?

Councilman Collier: Well, again my only hope is and I expressed this to you earlier, that they have done their homework and made sure that they don't have to... that they're not violating any particular ordinance and if they have to circumvent an ordinance, are they ready to come to Town Council to ask us to give our blessing, in order to circumvent it.

How does it fit within the Historic District, because now you're talking about... there are certain signs there. All that good stuff, that they haven't even gotten to.

Councilwoman Patterson: That's alright. I was just in Quebec and they have the neatest... I wish it wasn't just the ship, but that's alright.

Mayor Jones: Well, there may be other phases. The point is...

Councilwoman Patterson: But that's going to cost \$15,000.

Mayor Jones: \$15,000 for one and they're prepared to put in \$1,000.

Councilwoman Patterson: Right. Is it the right ship?

Mayor Jones: Well, the question is what about the other three or four that need to go up there? Will we in our lifetime see that much money raised to do that? I hope so. I think the wall would be excellent.

Councilwoman Patterson: I'd love to have a wall, but I just thought we'd get local artists; because remember in Economic Development Committee we talked about it.

Mayor Jones: Yes, and this is still coming out of Economic Development Committee, but I was saddened to hear no, no scaffolding, Roger's Signs and I thought the whole idea was for an art program...

Councilwoman Patterson: Oh absolutely, from the schools.

Mayor Jones: So we've already veered off center. My point is, I think that this is as much of an investment as \$1,000 towards a mark on the wall, only because I think this will be realized before that will be realized.

Councilman Collier: Okay, I've got a couple of questions for you about this. I read this thing through and if I read this, what I think I'm seeing is that the Chamber of Commerce is committed to spend \$600 towards this thing and at this point in time I could support matching them and then revisit the item later on to see if there's even a need for the Town to push any more funds towards this, because they're looking at licensing and everything else. Let's give them the opportunity to make the funds, instead of us just underwriting it. A match makes us equal partners at this point in time and I think partnership is good. If we put up \$1,000 and they put up \$600 and they raise the rest, we're just a major partner. Maybe it's just me being silly, but I think that a nice gesture towards this idea would be to match what they're investing at this time. Now, you've already found \$500 of the \$600, I think the other \$100 would be pretty easy to come up with with, without...

Councilman Coté: I think there's a couple of lines that are underspent in the Admin Budget.

Councilman Collier: Ha, ha, ha.

Mayor Jones: Part of my point in that second...

Councilman Coté: Most _____ at the end of the year.

Mayor Jones: I agree with what John just said, but part of my concern is now knowing that they plan to repeat this same behavior of using this year's for basically next year's prizes. Not calendar year, but event and I think maybe that has to be addressed on a totally different level.

Councilman Collier: Let's press them for how successful did they really think their event was?

Mayor Jones: It rained. It poured.

Councilman Coté: It's good for the farmer's.

Mayor Jones: Well maybe. Not in December

Councilman Collier: Well, at some point in time... For me, the concept was shop local and

I'm sorry I Christmas shop for a lot of folks and I can't find a single thing for anybody I shop for in downtown Milton. That was part of the concept behind it.

Councilwoman Patterson: It works in Rehoboth. Because I go down to it and it's great, but...

Councilman Collier: But you also have quite a different variety of merchants.

Councilwoman Patterson: Well, exactly.

Councilman Collier: Again, I like the concept that they have here and I'm very much in favor of it, at least at this date matching the investment that the Chamber of Commerce makes.

Councilwoman Patterson: I think that's a good idea. I think it's a great idea. I remember the commercial that used to run on the local channel about Milton, the ship and the things that went on and I've watched some of the things Lisa Sumstein's done with the Milton Minute on Facebook and what's going on this week and just great energy, so I do see the benefit in investing in something like this for the Town.

Mayor Jones: So the question is Mrs. Rogers and Mr. Thompson, is this something we can transfer and do under this line item this evening?

Kristy Rogers: Yes, I think it can just be a line item of Economic Development Committee. Just part of their approved budget. We're not going to create another budget, right?

Mayor Jones: We're just shifting... No. No. No. No.

Kristy Rogers: We're just using part of their budgeted funds.

Mayor Jones: Right. Yes. And when I use the word amend, it's just that that value is going to come out of whatever we approve their budget and be moved over to this expenditure.

Seth Thompson: Sounds fine.

Mayor Jones: Not stepping on...

Councilman Collier: Can we give them the courtesy of telling them we're doing that?

Seth Thompson: It's less a legal question and more a practical one.

Mayor Jones: Well, I already told them I was going after the \$500, so I wasn't going to arrive here tonight and not tell them anything, so that phone call went out today.

Councilman Collier: Alright, so now you just have to figure out where you're going to get the other \$100, because you only told them you were going after \$500.

Mayor Jones: Well if you look at your Expenditure Report out of... and I have this written down here somewhere, they haven't let's see, year-to-date expended is \$2,300 out of \$5,000; that cuts away the sign value. I mean, of course this posting is...

Kristy Rogers: As of June 30th. The sign portion is \$14,700, so they had \$5,000 budgeted to spend. I think they just asked for a purchase order, I want to say \$600 for the advertisement for Bargains on the Broadkill.

Mayor Jones: I think the whole Economic Development Committee concept has to be looked at, but in this regard, I think this is Economic Development.

Councilman Coté: I'd agree with that.

Councilwoman Patterson: I agree. I totally agree.

Councilman Collier: Yes. Alright, well we need a motion to get the \$600. I move that we redistribute \$600 in the Economic Development Committee budget to match the investment that the Chamber of Commerce is making in this project, the three-minute Milton video.

Councilman Coté: Second.

Mayor Jones: Any other comments? I have a discussion question. Mrs. Rogers, what would you like from the Chamber of Commerce in order for this to happen? Would you like them

to write an invoice and say that it is towards this video, would that be a help?

Kristy Rogers: That would be good.

Mayor Jones: An invoice. Okay. I'll see that that's cared for. Any other discussion? All those in favor say aye. Opposed. Motion is carried. Is there any other review in this piece that you felt we should look at? I have a couple of things marked. Anything else on this subject?

Treasurer Coté, anything you need us to know in that report?

Councilman Coté: No. It's all right there.

11. Executive Session:

- a) Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion may disclose the contents of such documents, specifically commercial or financial information obtained from a person which is of a privileged or confidential nature;
- b) Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion may disclose the contents of such documents, specifically records of labor negotiation;
- c) Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, when an open meeting would have an adverse effect on the bargaining or litigation position of the public body

Mayor Jones: We need a motion to go into Executive Session.

Councilman Coté: So moved.

Councilwoman Patterson: Second.

Mayor Jones: All in favor say aye. Opposed. Motion carried.

12. Discussion and possible vote on Executive Session items

No Discussion or Votes were made.

13. Adjournment